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Third Session, 1938

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THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Third Session.)

Volume LII—No. 4.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 9th March, 1938, at 4 p m

Present:

MR. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, ten Hon'ble Ministers and 214 Members.

STARRED QUESTIONS

(to which oral answers were given)

Amount of money distributed among the distressed people of Patuakhali.

*161. **Mr. NARENDRA NATH DAS GUPTA:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay a statement on the table giving the figure under each head separately—

(*a*) the amount of money that was distributed among the distressed people of Patuakhali last year by the Government in the shape of—

(1) gratuitous relief,

(2) test work, and

(3) loan,

exclusive of expenses incurred on account of the officials on duty;

(*b*) what amount was spent on account of the officials on duty for their travelling and other expenses;

(*c*) how much money was spent on account of travelling and other allowances of the Ministers on their visit to the affected area;

(*d*) what amount was spent by the Bakarganj District Board in the shape of—

(1) gratuitous relief, and

(2) test work;

(*e*) amongst the persons who got—

(1) gratuitous relief,

(2) relief by test work, and

(3) relief by loan,

(*i*) how many were Muhammadans, and

(*ii*) how many were Scheduled Castes people; and

(*f*) what was the total number of persons getting relief in various shapes mentioned above?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy):

			Rs.	A.	P.
(*a*)	(1)	... ...	9,008	10	6
	(2)	.. ..	Nil.		
	(3)	.. ...	1,50,316	0	0

(*b*) and (*c*) As Hon'ble Ministers and most of the officials did not tour in this locality for the sole purpose of visiting the affected areas, no accurate estimate can be given.

(*d*) (1) Nil and (2) Rs. 12,758.

(*e*) These statistics are not available.

(*f*) (1) Gratuitous relief—76,150 units.

(2) Relief by test work—94,546 units.

(3) Relief by loans—44,817 persons.

Note.—A unit = One person relieved for one day.

Mr. NAGENDRA NATH SEN: With reference to (*a*) (*3*), will the Hon'ble Minister be pleased to state whether this loan bears any interest, and if so, at what rate?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice

Mr. PROMATHA RANJAN THAKUR: With reference to (*b*) and (*c*), will the Hon'ble Minister be pleased to state how was it possible for Government to give an estimate that a loan of Rs. 1,50,316 was necessary for the relief of distress?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The Collector prepares the estimate from the amount asked for by each applicant.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the nature of the test work done out of the District Board money?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Consumption of Ganja at Gangbhanga excise shop, Tippera.

*162. **Mr. MAQBUL HOSAIN:** (*a*) Is the Hon'ble Minister in charge of the Forests and Excise Department aware that there is an excise shop in village Gangbhanga in the Mogra Union Board, police-station Kasba, in the district of Tippera?

(*b*) Will the Hon'ble Minister be pleased to lay a statement on the table showing the amount of consumption of *ganja* and opium in the said excise shop during the last three years?

(*c*) Is it a fact that young boys of the locality are taking to *ganja*?

(*d*) Are the Government considering the desirability of abolishing the shop without delay?

MINISTER in charge of the FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) Yes; one *ganja* shop.

(*b*) There is no opium shop at Gangbhanga. A statement showing the amount of *ganja* consumed during the last three years is laid on the table.

(*c*) No such report has been received.

(*d*) Does not arise.

Statement referred to in the reply to clause (b) of starred question No. 162, showing the amount of consumption of ganja consumed in the excise shop at Gangbhanga in the years 1934-35 to 1936-37.

	Seers.
1934-35 (7 months)	10
1935-36	20
1936-37	30

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state whether it is a fact that between 1935-36 and 1936-37, there has been an increase in the consumption of *ganja* in the village?

Mr. SPEAKER: That does not arise.

Mr. PROMATHA RANJAN THAKUR: With reference to (c), will the Hon'ble Minister be pleased to state if there is any law which prohibits the sale of *ganja* to young people?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Yes, Sir.

Mr. H. C. MUKHERJI: In view of the increase in the consumption of *ganja* from 10 seers to 30 seers in 3 years, will the Hon'ble Minister be pleased to state what this increase is due to?

The Hon'ble Mr. PRASANNA DEB RAIKUT: This is due to stoppage of smuggling.

Mr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state how many cases of smuggling have been detected?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I want notice, Sir.

Mr. PROMATHA RANJAN THAKUR: Is the Hon'ble Minister aware of the fact that young persons often come to village shops to buy *ganja* and the *ganja*-vendors readily sell it to them?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I am not aware of it.

Mr. DHIRENDRA NATH DATTA: Is it not a fact that the village is mostly inhabited by scheduled caste Hindus?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I do not know.

Settlement of the Khanjanpur Estate, Bogra.

***163. Khan Bahadur MOHAMMED ALI:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(i) whether he is aware that the Khas Mahal Officer of the Khanjanpur Estate in the district of Bogra has made settlement at nominal fees of several public utility tanks and thereby

deprived the tenants of facilities for irrigation so long enjoyed by them; and

(*ii*) that this is causing loss and hardship to the tenants?

(*b*) If so, is the Hon'ble Minister considering the desirability of taking steps to have such settlements cancelled?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Some tenants in *khas* possession of Government were recently settled by the Collector, under instructions from the Divisional Commissioner.

As the settlements were short term ones, no premium was charged, and rents were fixed at the prevailing rates.

Irrigation facilities were not interfered with.

(*ii*) No, but tenants in the neighbourhood cannot now steep jute in them or take away earth from the banks.

(*b*) The matter is receiving the consideration of local officers. Each case has to be considered on its merits. In some cases, the settlements have been cancelled.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether the settlements were by private treaties or by public notifications?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: By private treaties.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the reason which led to these settlements?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is the duty of the Revenue Officers of Government to settle unsettled lands.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the period of settlement?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: For short periods, but I do not remember exactly.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if any *kobala* was executed?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes.

Khan Bahadur MOHAMMED ALI: Is the Hon'ble Minister aware that the District Magistrate of Bogra is making frantic efforts to cancel some of these settlements and that the lessees are resisting such action and contemplate suing the Secretary of State?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have no information.

Clerks in the office of the Director of Land Records.

***164. Maulvi MD. MOZAMMEL HUQ:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact—

(*i*) that the stoppage of District Revisional Settlements and curtailment of Land Revenue Revisional Programme have reduced the work of the clerks in the Director of Land Records' office;

(*ii*) that the staff can be reduced immediately; and

(*iii*) whether there is any need for a whole-time Settlement Officer any longer?

(*b*) Is the Hon'ble Minister considering it desirable—

(*i*) to abolish the post of Land Revenue Settlement Officer; and

(*ii*) to make the Director of Land Records a part-time officer only?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the number of officers hitherto employed immediately before 1938-39;

(*ii*) the number proposed to be employed during 1938-39; and

(*iii*) how many of the officers and permanent or *quasi*-permanent clerks, draftsmen and peons proposed to be retained during 1938-39 in the Director of Land Records' office and in different settlements (both District and Land Revenue Settlement) are—

(1) Muslims,

(2) Scheduled Caste Hindus, and

(3) Caste Hindus?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) There has been no appreciable decrease as yet in the amount of work in Director of Land Records' office. The curtailment of programme will result in such decrease in work from 1939-40 onwards.

(*ii*) This is now being considered by Government.

(*iii*) No.

(*b*) (*i*) There were two posts of Land Revenue Settlement Officers and they have already been amalgamated. The present Land Revenue Settlement Officer is also in charge of Howrah Major operation.

(*ii*) This suggestion will be considered in due course.

(*c*) Three statements are laid on the Library table

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the amount of saving in the last year's Budget on account of the stoppage of the Revisional Settlement?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Maulvi ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that a traverse party was brought down from Upper India after the last Pujahs although the Legislature decided to abandon Revisional Settlement?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: There are certain land revenue Revisional Settlements which are unavoidable, and also in certain cases, where operations were in progress, Government wanted to complete them but without the provision about enhancement of rent.

Maulvi ABDUL BARI: With reference to (*a*) (*iii*), will the Hon'ble Minister be pleased to state whether the Settlement Officer in question is still in service or whether the post has been abolished or whether Government contemplate abolishing it?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The Settlement Officer is still in service, but the matter will receive due consideration by Government.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state if after the amendment of the Bengal Tenancy Act, suspending the increase of rent, there is any necessity for continuing the land revenue settlement?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Land revenue settlements are unavoidable in certain cases because of alluvial operations of rivers.

Khas Mahal Tahsildars.

***165. Khan Sahib HAMIDUDDIN AHMAD:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) whether Khas Mahal Tahsildars are recruited (1) directly, or (2) from the clerks of the collectorate;

(*b*) whether the lower division clerks in the collectorate and the Khas Mahal Tahsildars belong to the same class of service;

(*c*) what is the scale of pay of a Khas Mahal Tahsildar and that of a lower division clerk in the collectorate; and

(*d*) whether the Government are considering the desirability of revising the scale of pay of the Khas Mahal Tahsildars?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Directly.

(*b*) No.

(*c*) The scale of pay (as revised in 1934) is—

Khas Mahal Tahsildar—Rs. 35—2/2—55.

Lower division clerk of the collectorate—Rs. 35—40—4/2—68—3/2—80.

(*d*) No.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to consider the desirability of absorbing the Khas Mahal Tahsildars in the Collectorate staff?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That question will be duly considered?

Number of clerks in the Tippera Collectorate.

***166. Mr. SHAHEDALI:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing, grade by grade, the existing number of—

(1) Hindu,

(2) Muhammadan, and

(3) Christian clerks

both Temporary and Permanent in the Tippera Collectorate?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the table.

Statement referred to in the reply to starred question No. 166.

	Hindu	Muhammadan.	Christian.	Total.
Upper division (permanent) ..	11	3	..	14
Lower division (permanent) ..	52	48	..	100
Lower division (temporary) ..	34	16	1	51
Total ..	97	67	1	165

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether these temporary clerks as a rule are made permanent?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No.

Mr. PROMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state how many of the Hindu clerks belong to the Scheduled Caste?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether these temporary officers are in a majority of cases made permanent?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes; their claims are duly considered and if they are otherwise eligible, certainly they are given preference.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether these temporary appointments are made on the notes given by the Sheristadars to the Collectors?

Mr. SPEAKER: That question does not arise

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Number of deaths caused by the wild beasts in certain police-stations of Chittagong.

39. Al-Haj Maulana Dr. SANAULLAH: Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state, year by year, for the years 1928 to 1937—

(*a*) the number of human deaths; and

(*b*) deaths of domestic animals, caused by the wild beasts in the police-stations of Hathazari, Fatickcheri and Raozan in the district of Chittagong?

The Hon'ble Mr. PRASANNA DEB RAIKUT: A statement is laid on the Library table.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether he has taken any step to prevent the loss of human lives from the attack of wild animals?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Yes; we have taken steps as far as possible.

Mr. PROMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state whether Government pay any allowance to the families of persons killed by wild animals?

Mr. SPEAKER: That question does not arise.

Adjournment motion.

Mr. SURENDRA NATH BISWAS: May I have your leave to move an adjournment motion? First of all, I want to draw your attention to one clerical mistake in the body of the motion. The village is there and the facts are there but only there is a mistake in the name of the thana within whose jurisdiction the village is situated.

Mr. SPEAKER: I want to know whether this matter is a subject of judicial trial.

Mr. SURENDRA NATH BISWAS: As far as I know it is not.

Mr. SPEAKER: What are the facts of the case?

Mr. SURENDRA NATH BISWAS: The important facts of the case are that a tube-well was going to be sunk in a village in the Faridpur district at the cost of the District Board, and two rival parties claimed that the tube-well should be sunk at their respective houses. It so happened that the Tube-well Overseer was backing one party and the President of the local Union Board another, and when actually the tube-well was going to be sunk in the house of the man backed by the Tube-well Overseer, the other party approached the Union Board President and asked him to take necessary steps. The Union Board President informed the police, the thana being 2 miles away from that place. One Assistant Superintendent of Police with two constables with a gun, and certain ammunition came to the spot. When they came, only one party was there, that is, the party at whose house the tube-well was being sunk; the other party was not there. As soon as the said party got scent of the fact that the police were coming, they removed the tube-well materials to the inner compound.

Mr. SPEAKER: That will do. I do not want all the details. What does the Hon'ble Minister say?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no objection to the motion being discussed. I believe the thing is a subject-matter of judicial enquiry or is before a Court.

Mr. SPEAKER: If it is a matter of judicial enquiry ——

Mr. SURENDRA NATH BISWAS: May I suggest that the Hon'ble the Home Minister will be pleased to enquire whether it is a matter of judicial enquiry? If it is not then I may move my motion.

Mr. SPEAKER: My difficulty is that the written statement of the case was not given, and you remember that on the last occasion I threw out at least three adjournment motions on the ground that written statements were not supplied. I find that you have also not supplied a written statement. So, there has been no technical compliance with my ruling.

Dr. NALINAKSHA SANYAL: May I hand it over now?

Mr. SPEAKER: If there is no information on the point as to whether there is a judicial trial going on——

Dr. NALINAKSHA SANYAL: You will see that there is no statement that a judicial trial is going on.

Mr. SPEAKER: Unless Mr. Biswas can definitely satisfy me that there is no judicial trial, I cannot allow the motion.

Dr. NALINAKSHA SANYAL: So far there is no judicial trial.

Maulvi AHMED ALI MRIDHA: The case occurred in my constituency. I had been there very recently and I have a better knowledge of the facts and can place them before the House.

Mr. SPEAKER: Is it a matter of public importance?

Maulvi AHMED ALI MRIDHA: I am of opinion that it is.

The Hon'ble Khwaja Sir NAZIMUDDIN: Can the hon'ble member tell us if the matter is before the Court or not?

Mr. SPEAKER: Is the matter pending before a Court?

Maulvi AHMED ALI MRIDHA: Not yet. Only a portion, the first portion is being investigated by the police and the second part is before a Magistrate who has taken cognizance of some of the complaints.

Mr. SPEAKER: In any case the matter has gone to the Court.

Maulvi AHMED ALI MRIDHA: Yes, Sir, only a portion.

Mr. SPEAKER: I am not prepared in any case to take up this matter to-day. On this point specific information should be available to-morrow. In view of the statement that some portion of this incident is before the Court, and I think the statement is correct, there is no reason why I should allow it. We cannot discuss a matter which is pending before a Court, but I think the Hon'ble the Home Minister might make sure of it. So far as the urgency of the matter is concerned, it would be open to me to waive the question of urgency to-morrow in case it is renewed, but the information ought to be available to-morrow.

Mr. SYED JALALUDDIN HASHEMY: Sir, may I submit that if the matter be postponed to-day, the urgency of it will be over?

Mr. SPEAKER: I have not yet decided if it is in order. I will decide it afterwards.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Home Minister kindly ask for information?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have just got a letter from Mr. Martin. He says that he has received the report of the Subdivisional Officer of Gopalganj who mentions that the matter is *sub-judice.*

Mr. SURENDRA NATH BISWAS: May I ask the Hon'ble Minister what is the issue before the Court of Enquiry?

I know, Sir, what becomes the issue in such cases. The fact of shooting by the police never becomes an issue in such cases.

Mr. SPEAKER: Order, order Mr Biswas, I do not think you are entitled to deliver a speech, and you are going to let out what you know from personal experience.

Mr. SURENDRA NATH BISWAS: I want to know only this information from the Hon'ble Minister whether he knows or has information that the fact of shooting by the police is an issue in this case.

Mr. SPEAKER: It is not an issue. I am not concerned with the shooting. I am only concerned with whether the subject-matter of the incident is subject to judicial investigation or trial at the present moment

The Hon'ble Khwaja Sir NAZIMUDDIN: I want to make it clear that the Government have no objection to discuss this adjournment motion, but so far as my information goes, the matter is at present *sub judice*

Mr. SURENDRA NATH BISWAS: What is the nature of the information?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no other information than that which is contained in the letter which I have already read out.

Mr. SPEAKER: I do not think, Mr. Biswas, you can contradict that statement.

Mr. SURENDRA NATH BISWAS: I cannot contradict the statement as a whole, but a part of it and I want to have some specific information.

Mr. SPEAKER: Well, that is another matter. You can ask for that information through a short-notice question.

On the subject of adjournment motions, I must make it clear that it is not merely the notice given by a member and the consent of the Minister in charge to the moving of that motion that makes an adjournment motion valid. Such a motion must strictly be legal, and particularly during the budget session it should strictly conform to the rules on the subject, because it would otherwise obstruct a very important business of the legislature, namely, voting of demands for grants, and it would take away two hours of the time of this House, which is already very short. In view of this I am not at all disposed to admit an adjournment motion, during the budget session, unless I am satisfied that it does not violate any provision of the rules.

I would also point out that no adjournment motion can refer to any matter which is under adjudication in a Court of law. The Hon'ble Sir Nazimuddin has said that it is a matter which is the subject-matter of proceedings in a Court of law, and that part of the statement has not been contradicted by Mr. Biswas. All that Mr. Biswas has said is that certain other parts of the statement are not the subject-matter of legal proceedings, but I do not think that at this stage I can act, in the face of a definite specific fact which has been mentioned by Hon'ble Sir Nazimuddin, on a purely problematic opinion of Mr. Biswas, who says that it is possible that something else may happen. I can say this, however, that, in case, later on it transpires that the statement of Sir Nazimuddin is wrong, then it will be open to Mr. Biswas to renew his application on a suitable opportunity and it will be for me then to consider whether the circumstances are of grave urgency or not.

There is another point also to which I wish to draw the attention of the House, and that is this. An adjournment motion is always ruled out when it is possible to discuss the question in another form, that is to say, through the agency of a motion of which notice has already been given. Now, such a motion has been given notice of in the police budget already. I wonder whether Mr. Biswas will try to find out if it is possible to bring this incident within the scope of that cut motion. In any case it is not necessary for me to say anything more than this that for the time being I do not think that I should hold that the motion is in order.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, before we take up the specific demands for grants, may I rise on a point of procedure? I find that there are a very large number of cut motions which have been given notice of by the supporters of Government. I want to submit that in all democratic countries, government is after all government by discussion, and discussion between those who support and

those who are in opposition. With regard to the cut motions, I would like to know whether you, Sir, would help in creating a convention that it is the privilege of the opposition to initiate discussion and not of the members of the party who are the supporters of Government, who, it may be supposed, have already given the Government their views in the course of their party discussions. That is my point No. 1, Sir.

My next point is whether, you, Sir, have been pleased to decide that the time for the voting of demands will extend to at least 4 hours every day, because the number of cut motions is so large that unless the time is extended, it will be simply impossible for the members to put forward their views properly before the House.

Mr. SPEAKER: Order, order. I will take up this matter immediately after two small matters have been finished. The Honble Nawab Musharruff Hossain will now move his motion.

GOVERNMENT BILLS.

The Calcutta Official Receivers' Bill, 1938.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I beg to present the report of the Select Committee, appointed by this House to consider the Calcutta Official Receivers' Bill, 1938. I also want to give notice that—

Mr. SPEAKER: You cannot do that just now.

Dr. NALINAKSHA SANYAL: May we know, Sir, how this matter comes in? It is not on the order paper.

Mr. SPEAKER: It is permissible to bring up such a matter.

Dr. NALINAKSHA SANYAL: Permissible to bring up with the special permission of the Chair or of the Government?

Mr. SPEAKER: Of the Speaker.

Dr. NALINAKSHA SANYAL: May I know, Sir, if the Speaker has authority to allow such a motion on a budget day? Of course I do not question your power to do so in general.

Mr. SPEAKER: I believe, Dr. Sanyal, the Speaker has the inherent power to take up any item of business if it is convenient to the House and to the interest of everybody concerned.

LIBRARY OF THE BENGAL LEGISLATURE

The Bengal Rhinoceros Preservation (Amendment) Bill, 1938.

**

The Secretary, Bengal Legislative Assembly, then read out the following message:—I have received the following message from the Secretary to the Bengal Legislative Council, namely, "I am directed to send herewith the 'Bengal Rhinoceros Preservation (Amendment) Bill, 1938,' and to convey the message that the Council at its meeting held on the 4th March, 1938, have agreed to the Bill without any amendment."

A point of Procedure.

Mr. SPEAKER: Dr. Sanyal, what are your points?

Dr. NALINAKSHA SANYAL: My first point is that it is the opposition which has the sole right and privilege not only of initiating discussion on budget cuts but also of having all discussions confined mainly to themselves I beg to submit that in some of the Congress provinces also they have had this convention laid down and the supporters of Government had in consequent withdrawn all the cut motions. This is my first point. My second point is about the time for discussing the budget demands.

Mr. SPEAKER: Has Hon'ble Sir Nazimuddin or the Chief Minister anything to say on this point?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as far as the time is concerned, I would like to say that the Legislative Council will be sitting along with us, and they begin on the 11th. That means that we shall have to start at 4-45 p.m. on that day. Perhaps later on sometimes there will be sittings of the Council to consider the Bengal Tenancy Amendment Bill, which we cannot avoid. They have then got to have sittings during the budget discussion and during those days we should have to sit from 4-45 p.m. I consider that if we allot 3½ hours clear for budget discussion here, then that will be sufficient.

Mr. SPEAKER: Three and half hours mean that if we deduct 15 minutes for prayer and half an hour for questions, then the discussion will run on till about 9 o'clock.

The Hon'ble Khwaja Sir NAZIMUDDIN: That will be, Sir, practically impossible. We can sit from 4-45 to 8 p.m. when the Council also is sitting. As far as I know the Council will sit on the 11th, and will not sit again till the 24th, although I am not absolutely certain of it

Dr. NALINAKSHA SANYAL: Then how can you give 3½ hours in that case?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am afraid in that case we cannot sit for 3½ hours. We can only sit from 4-45 to 8 p.m. on those days.

Dr. NALINAKSHA SANYAL: Could we not, Sir, stop at 8 o'clock to meet again, say, at 9 or 9-30 p.m.?

(Cries of "no, we cannot.")

The Hon'ble Khwaja Sir NAZIMUDDIN: Then Sir, very likely the other House will be sitting for the consideration of the Bengal Tenancy Amendment Bill after dinner. So they will not only sit before the Assembly sits but also again after dinner; for otherwise they cannot finish this Bill before the end of March. Government want that the Bengal Tenancy Amendment Bill should be passed by the Upper House before the end of this session. Therefore, they will try their level best to see that the Bill gets through the Council some time about the first week of April, or early in April. Then that Bill as passed by the Upper House may have to come to the Assembly again. Therefore, it may be necessary for the Council to meet not only from 2-15 p.m. to 4-15 p.m. but also after dinner. Therefore, I submit that 4-45 p.m. to 8 p.m. will give us 3 clear hours for discussing the budget grants each day.

Mr. SPEAKER: If the other House is meeting twice a day, I should like to know—although I do not mean to suggest it—whether it is not possible for that House to sit before lunch and then again after dinner so that we may sit from 4 to 8 p.m.

The Hon'ble Khwaja Sir NAZIMUDDIN: It will be very difficult, Sir, to sit before lunch, as members who live in Calcutta are very reluctant to attend before lunch.

Mr. SPEAKER: The net result of this reluctance on the part of the members of both the Houses comes to mean that we shall have to sit for a shorter time.

The Hon'ble Khwaja Sir NAZIMUDDIN: I think, Sir, except on the 11th March and one or two days later on there will be no sitting of the other House in the afternoon.

Mr. NAGENDRA NATH SEN: Can we not expect to have a fixed time-table?

Mr. SPEAKER: You can take it that when there is no meeting of the Council, we will meet at 4 p.m. but when there is a meeting of that House, we will meet at 4-45 p.m.

The Hon'ble Khwaja Sir NAZIMUDDIN: Even in the Old Council we used to meet from 3 to 7 p.m. and so we may sit for four hours.

Mr. SPEAKER: The only other thing is that there should be as few questions as possible.

The Hon'ble Khwaja Sir NAZIMUDDIN: If members have no objection, we have nothing to say.

Mr. R. H. FERGUSON: So far as the European Group is concerned, it is impossible to carry on late at night after dinner. We may, however, meet between 9 and 11 in the morning

Mr. SPEAKER: I will consider that. But in the meantime we must go on with the agenda.

DEMAND FOR GRANT.

25—General Administration.

The Hon'ble Khwaja Sir NAZIMUDDIN: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,14,08,000 be granted for expenditure under the head "25—General Administration."

Dr. NALINAKSHA SANYAL: In view of Mr. Banerji's absence, may I request you to kindly permit me to move the motion standing against his name?

Mr. SPEAKER: I would rather like to pass it over for the present and take it up later.

The Hon'ble Khwaja Sir NAZIMUDDIN: Is it your ruling that the member concerned will be allowed to move this motion afterwards?

Mr. SPEAKER: The postion is that where a party is definitely organised and have not given more than four or five motions, I should give them some latitude and facilities to take up a later motion first. and then a previous motion can come in.

The Hon'ble Khwaja Sir NAZIMUDDIN: I want to be definite that item No. 2 is going to be moved after item No 4 of Dr. Suresh Chandra Banerji.

Mr. SPEAKER: Yes.

Dr. SURESH CHANDRA BANERJI: Sir, I beg to move that the demand of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 100 to raise a discussion about the policy of Government as regards labour.

In discussing this labour policy of the Government of Bengal several facts and points are to be taken into consideration. First of all, we shall consider what, according to the Government of India Act of 1935, should be the policy of the Government of Bengal as regards labour, and in this matter I should ask the hon'ble members to refer to the Government of India Act, 1935, page 294, 7th Schedule, List III—Concurrent Legislative Lists, Part II, sections 27, 28, 29. In these sections the labour policy has been definitely defined. Of course, it is concurrent; still I believe that the main function will be of the province. In these three sections, it has been said that welfare of labour, conditions of labour, provident fund, employers' liability, workmen's compensation, health insurance, including invalid pension, old age pension, unemployment insurance, trade union, industrial and labour dispute—these should be items under which the Provincial Government should try to improve the condition of labour. Sir, before passing these over, I should like to lay a special emphasis on some points, viz., the provident fund, unemployment insurance, health insurance, invalid pension, etc. And why, I shall say later. After having in a nut-shell found out what should be our policy as enunciated by the Government of India Act, I should like to draw the attention of the members of this House to the policy of the Government of Bengal as regards labour. You all probably know that the Hon'ble Minister in charge of Labour in a conference of the Press representatives of Bengal some time in the middle of October, 1937, outlined his policy in this matter. In this outline of his policy—it is a large one, and I do not want to go into the whole of it—there are some points to which I should like to draw the attention of the hon'ble members. In this outline the Hon'ble Minister says, first I am anxious to see that labour organises itself on trade union lines—this is the key-stone of my policy. So the Hon'ble Minister has nothing to say against trade unionism. Not only that but he also says what should a genuine trade union be. He says, a trade union in order to be genuine should accept the principle of collaboration with the employer and co-operation with him. A trade union that advises lightning strikes or does not formulate its grievances, or acts in an immoderate manner with respect to its claims.

etc., is not a genuine trade union. Then after this he refers to labour welfare, and under this heading the Hon'ble Minister gives a big list of welfare works such as schools for children, night schools for adults, sanitation and hygiene, etc., and then he refers to his third programme that is, what should be the relationship between the employer and the employee. Of course, into all these I need not go. But what I should like to lay a special emphasis on is that in this programme certain very important items have been omitted—items to which I have drawn the attention of the hon'ble members while reading the policy outlined in the Government of India Act—I mean such things as the provident fund, invalid pension, old age pension, unemployment insurance, etc. These things, as you all know, are very important for labour welfare.

I do not know why the Hon'ble Minister has in his outline omitted these things. I do not know, Sir, whether this omission is intentional or accidental. I do not think it is accidental, because the Hon'ble Minister, I always see, is very particular as regards quotations from authorities, constitutional books, etc. So I may almost take it for granted that it is intentional, and in thus intentionally omitting all these important items such as providend fund, invalid pensions, old age pensions and unemployment insurance, I think the Hon'ble Minister has intentionally betrayed the cause of labour. Of course, I know, Sir, all these items cannot be fulfilled in a day, but I do emphatically say that these things ought to have been there in the outline of the labour policy which he presented to the representatives of the various papers of Calcutta in October last. Sir, having narrated the difference between the policy outlined in the Government of India Act and the policy as enunciated by the Hon'ble Minister I should, while discussing the policy of labour during the last year, confine myself to the policy which the Hon'ble Minister has himself enunciated, namely, three things—trade unionism, welfare work and the relationship between the employer and the employee. In doing this I should simply mention in short the events which took place after the last year's jute strike, because the policy which the Hon'ble Labour Minister followed during this strike was sufficiently discussed during the last year's Budget discussion, and I would not go over the matter again. Befor leaving that subject, that is, the Jute strike affair, I must bring to the notice of the hon'ble members and bring with all the emphasis at my command two statements which the Hon'ble Minister specially made during the Budget discussion. One of them was with regard to the terms of settlement. On page 370 of Volume LI, No. 3, that is, last year's proceedings, the Hon'ble Minister says: "There were no terms of settlement, because the Jute Mills' Association refused to deal with these gentlemen." That is in narrating why it was not possible for the Hon'ble Minister to bring about any settlement between the Indian Jute Mills' Association and the strike leaders, he says that

no terms of settlement were possible because the Jute Mills' Association refused to deal with these gentlemen. By "these gentlemen" the Hon'ble Minister means comrade Shibnath Banerjee and comrade Niharendu Dutta Mazumdar who took part in that discussion. Now, Sir, no terms of settlement were possible, because the Jute Mills' Association refused to deal with the gentlemen. I request the Hon'ble Minister again to remember this portion of the statement. I would also draw the attention of the hon'ble members to another part of his statement, that is on page 372 of the same book where the Hon'ble Minister says: "I have been keeping myself in touch, having given an assurance that there will be no victimization, and that I would see and Government would try its level best to see that the Jute Mills carried out the assurance that there would be no victimization." So, these are the two statements, (1) why no settlement was possible and (2) why there would be no victimization.

Mr. SPEAKER: Dr Banerji, will you continue a little after? The House will be adjourned now for ten minutes.

The House was then adjourned for ten minutes.

(After adjournment.)

Dr. SURESH CHANDRA BANERJI: Sir, I was referring to the two statements which the Hon'ble Minister in charge of Labour made during the last Budget debate, (1) as regards the reason of his inability to bring about a settlement between the Jute Mills' Association and the representatives of Labour, and another as regards the question of victimization in which the Hon'ble Minister very emphatically says that he and his Government will on no account allow any victimization.

Now, I would say something about the first statement. Immediately after the jute strike here, Sir, there was another strike, not in Bengal, but in the United Provinces at Cawnpore. There about 50,000 workers, not jute, but textile, went on strike. There is also the Union there representing all these labourers. The name of the Union is Cawnpore Mazdoor Sabha. This Mazdoor Sabha was conducting the strike. The Chief Minister, United Provinces, as soon as the strike began went to Cawnpore to enquire into the conditions of the strike, and then after some time, asked the employers to accept the demands of the strikers as also to recognise the Cawnpore Mazdoor Sabha. We all know, Sir, how the North Indian Employers' Association refused categorically to have anything to do with the Mazdoor Sabha and also to accept the demands of the strikers, but subsequently we all know, Sir, how on receiving an urgent wire from the Chief Minister the Hon'ble Mr. Gobinda Ballav Pant, the Upper India Employers' Association was forced not only to accept the demands of the strikers, but also to

recognise the Mazdoor Sabha. Now, Sir, in this province the Hon'ble Minister in charge of Labour said that he could not bring about any settlement as the Jute Mills' Association refused to come to terms in any way with the Labour representatives, but, Sir, just at about the same time in another province we see, Sir, how the Chief Minister forced the employers to accept not only the terms of the strikers, but also to recognise the Mazdoor Sabha. Now this inability, I do not say inability, because we do not know what the Hon'ble Minister in our province did in order to bring about a settlement. All we know is when the strike was on, the Hon'ble Minister went to the spot and delivered a speech not to the employers but to the strikers advising them to give up the strike. Here in this province we find, Sir, the Hon'ble Minister in charge of Labour not only trying to bring about a dissolution of the strike, but not at all trying to bring about a settlement, but, Sir, we at the same time see in another province how the Chief Minister tried his level best, not only tried but actually succeeded in bringing about a settlement. That is the difference between this province and other Governments. In my humble opinion that is the Hon'ble Minister's third betrayal. I have already referred as you all probably remember, to his first betrayal. His first betrayal was the omission from the details of his labour policy certain fundamental ideals enunciated in the Government of India Act. His second was not to exert any pressure on the Employers' Association to bring about an honourable settlement. The Hon'ble Minister's second statement is as regards "victimization". During the last debate Mr. Cooper, representative of the Jute Mills' Association, said that there was no victimization of labour. We all know that no Jute Mill Manager or any other officer would, while discharging any one, say he has been victimised. There are so many heads under which one can discharge—insubordination, inefficiency, indiscipline, and so on and so forth. Mr. Cooper said that the labourers have been discharged under these head and our Hon'ble Minister in charge of Labour most humbly accepted all these explanations but may I ask most humbly the Hon'ble Minister—does he not know that these explanations are only an eye wash, and that these do not mean anything? Does he not know that men have been dismissed from service for inefficiency who a year before were rewarded for efficiency? And even after that, after the debate was over, there has been going on in the Jute Mills mass victimization. I need not go into all the details, I do not want to go into all the cases of victimization, but only into two definite cases occurring within my constituency. In the Oriental Jute Mill, 150 men were dismissed, of course we know for the strike, though it was not stated so; and then in the Caledonian Jute Mill, 50 men were dismissed for the same reason. I hope the hon'ble members remember that after this latter dismissal there was a strike. We are always accused by the Hon'ble Minister for bringing about lightning strikes. In this particular case at least I

hope the Hon'ble Minister would agree when I say that as soon as the strike broke out, we went to Budge-Budge and in a meeting of about ten thousand labourers advised them to give up the strike and then resume work. We also assured them that we would see the Labour Commissioner and try by every possible means to remedy their grievances. We saw the Labour Commissioner, but to our regret we must say that though hearing our advise the labourers gave up the strike but no redress of their grievances was possible. So as regards victimization too the Hon'ble Minister failed to do anything, and that is his third betrayal of the Labour cause. Now, Sir, I would refer to another part of his policy which was outlined before the representatives of the Press, I mean his attitude towards trade unions. I have already stated what he means by genuine Trade Unions and I do not want to go into that again. Now to show how he acted as regards Trade Unions, I would cite simply one instance, the instance of the Electric Supply Workers of Calcutta. Sir, there was a Union of the Electric Supply Workers existing for the last three or four years. Somehow, I do not want to go into the reason—sometime in the middle of last year—this Union became very forceful and on the 19th August they formulated their demands and submitted these demands to the Agent of the Electric Corporation here. As for the demands they were quite legitimate and in short I may also refer to them here. They were about the recognition of the Union, the security of service, increase of starting pay of the lowest grade of coolies from Rs. 18 to Rs. 25 a month, a regular annual increase of 10 per cent. Bonus, Provident Fund, monthly allowance at the rate of Rs. 2 for workers receiving less than Rs. 50 a month, gratuity after fifteen years of service, one month's leave with full pay a year, arrangement for sick leave, casual leave in case of emergency with pay, free quarters, house allowance, etc. As you all know, Sir, this Electric Supply Corporation is a very prosperous company. Its Directors are getting 50 to 60 thousand rupees a year each. Manager, Assistant Managers, here are also getting 5 to 10 thousand rupees a month, and every year this company is declaring a dividend. Last year a dividend of 12 per cent. was declared. For such a rich and prosperous company to accede to such demands is nothing, and as a matter of fact, as you all know no one has up till now said that these demands were illegitimate or preposterous. These demands were submitted on the 19th August to the Agent of the Company, and not receiving an answer the Union thought that unless some pressure was given these demands would not be acceded to. Therefore, on the 25th August a resolution was passed by the Union to the effect that in case the demands of the labourers were not accepted by the company on or before the 15th September, they will be compelled to launch a general strike. Copies of this resolution were sent not only to the Agent here, but also to the Chairman of the Board of Directors in London, and also to the Mayor of the Calcutta Corporation, and to the

Labour Commissioner, Mr. Hughes. On 2nd September, the Labour Commissioner, Mr. Hughes, wrote a letter to the President of the Union asking him to see him in his office. In the absence of the President, the Secretary saw him. On the 4th idem, Mr. Hughes told the Secretary that in case they gave up the strike and in case the question of the recognition of the Union was not raised, then he would try his level best to bring about a settlement and to see that the demands of the labourers in other respects were acceded to. The Secretary agreed not to press for the recognition of the Union and was quite willing to accept the terms of Mr. Hughes, but nothing was heard of till the 17th of September, when all on a sudden in the "Statesman" appeared, as you all know, very startling news with big headlines, e.g., "The Electric Workers' Strike. Threat; Menace to the Health of Calcutta; Stoppage of the Electric Light of the City; General Dislocation of Power Stations;—etc., etc." In course of this article the "Statesman" went to the length of saying that in case the Electric Supply Workers discontinued work, then the houses and streets would be without illumination.

The factories, workshops, hospitals, clubs, public buildings, places of entertainment, restaurants, etc., that depend on electricity would be stopped. Then there would be no telephones. Of course, this was very startling. The whole of Calcutta grew nervous, and the citizens of Calcutta convened a big meeting on the 20th September, 1937, under the chairmanship of Mr. Santosh Kumar Basu, and in that meeting a negotiation committee was formed with Mr. Sanat Kumar Roy Chaudhury, Mayor of Calcutta, as Chairman with the object of negotiating between the Calcutta Electric Supply Corporation and the Union in order to bring about a settlement. That was, Sir, on the 20th September. On the 22nd September, at the invitation of Mr. Perkins, the acting Agent of the Calcutta Electric Supply Corporation, Mr. Santosh Kumar Basu had an informal discussion with him regarding the grievances of the strikers. This was followed by another meeting of the negotiation committee in which Mr. Santosh Kumar Basu informed the Committee about the discussion he had with Mr. Perkins. Then there was another meeting of the negotiation committee in which Mr. J. Perkins and Mr. Choksey, Chief Engineer of the Calcutta Electric Supply Corporation, were present. In that meeting it was settled that Mr. Hughes, Labour Commissioner, would be invited to attend the next meeting. At the next meeting which was held on the 4th October Mr. Perkins, Mr. Choksey and Mr. Hughes attended, and in that meeting the grievances of the labourers were discussed item by item, and finally it was settled that the proper procedure would be for the Labour Commissioner to negotiate with the Negotiation Committee on one side and the Calcutta Electric Supply Corporation on the other. It was held that in that way a final settlement would be made and that the arbitration or the decision of the

Labour Commissioner would be finally accepted by all parties. Then, Sir, came the Puja vacation. After the Puja vacation, the Mayor of Calcutta called a meeting but that meeting was attended neither by the Agent of Electric Supply Corporation nor by Mr. Hughes, the Labour Commissioner. The reason given was that the meeting was called on a very short notice and so another meeting was arranged on the 7th December but to that meeting also neither of them attended, and the matter practically ended there.

Now, Sir, everything was settled before the Puja vacation. It was decided that Mr. Hughes would be the arbitrator and all the terms were discussed and practically settled. The last two meetings were not attended either by Mr. Hughes on the Government side or by Mr. Homan on behalf of the Calcutta Electric Supply Corporation. Something mysterious must have happened. After that on the 7th morning a notice appeared in various papers in the name of the Agent of the Calcutta Electric Supply Corporation addressed to the workers, in which it was said that the Company refused to have a third party negotiating between the Company and the workers. That was, Sir, one of the points mentioned in the notice. The second point was that the terms were being investigated by the Labour Commissioner himself on behalf of the Government of Bengal. I would request the Hon'ble Minister in charge of Labour specially to give attention to these words that the demands were being investigated by the Labour Commissioner on behalf of the Government of Bengal. The third point was that, the Company was not ready to negotiate with a third party, but that they were always ready to deal with their own employees directly.

I do not know, Sir, why after having negotiated with a third party, I mean the Negotiation Committee, the company refused subsequently to deal through the medium of that committee. We do not know whether the Government authorised the Labour Commissioner to go into the case, at least no such notice appeared in the press. The President of the Union, Mr. Deven Sen along with me at once represented the matter to the Labour Commissioner and asked him whether he had been authorised by the Government of Bengal to investigate the grievances of the labourers. He said that it was a bluff, and that no such order had been given to him but that he was willing to negotiate. That very evening Mr. Hughes arranged a meeting with the Mayor to settle the matter, and we three went to the Mayor's office and had a talk with him. It was then settled that Mr. Hughes would act as the arbitrator between the workers and the Company and that his decision would be intimated to the Mayor in course of 15 days. Nothing came out of this as subsequently Mr. Hughes said that his Government was unwilling to give him that power, i.e., the power of acting as an arbitrator. This is a most strange thing, Sir. When the company was willing to appoint him as an arbitrator, when the Labour Union was

also agreeable to the proposal, and Mr. Hughes himself was willing to act as such. It is, I submit, a mysterious thing that Government should have refused to authorise him in that regard, so that he might bring about a settlement between the labourers and their employers. Having failed in this, the Union took recourse to the second step mentioned in the notice and asked the labourers to see the Agent of the Company not on behalf of the Union but on behalf of the labourers direct. This they have done and two months—January and February—have since passed but nothing substantial has been done so far, although the Company had said that they were always ready to deal with with the labourers direct. We know very well, Sir, how dangerous the situation grew—how the strike was imminent and how agitated and culty we have been able to keep them in check. The Hon'ble Minister, while outlining the Government policy definitely said that a Trade Union would be recognised provided that—

(At this stage Dr. Banarji reached his time-limit.)

Dr. SURESH CHANDRA BANERJI: May I have two minutes more, Sir, to finish my speech?

Mr. SPEAKER: I am sorry I cannot allow you any more time. As a matter of fact it was due to a mistake on my part that you have got so much time already. I should have announced the time-limit a few minutes before. As in the last year I propose to follow the practice that in important debates the mover of a motion will have 15 minutes and the supporter will have 10 minutes. In unimportant debates, however, I think you will agree with me, that a mover of a motion, should have 10 minutes and the supporter 5 minutes only. Henceforth, the House will follow this arrangement till we find that owing to pressure of work it becomes necessary to make a further reduction regarding time-limit.

Mr. AFTAB ALI: Mr. Speaker, Sir, in supporting the motion moved by my friend, Dr. Banerji, I will confine my remarks only to the conditions of dockers and inland seamen. I would like to point out to this House that the policy that has been up to date pursued by Government regarding the employment of these unfortunate workers is very sad and deplorable and calls for serious condemnation of this House.

Let me first tell you that there are about 14,000 dockers, loading and un-loading vessels calling at this Port, and their lots are so bad and so rotten that they can better be imagined than described. In the year 1934, these dockers were forced to go on strike under the leadership of the Port and Dock Workers' Union, now declared illegal. In

the midst of that strike, the present Hon'ble Minister for Labour took upon himself the responsibility of calling off the strike and held a meeting of these dockers and declared in that meeting that he would negotiate with the employers and obtain better conditions from them, as the employers refused to negotiate with the Union—I mean the Port and Dock Workers' Union—on the ground that Mr. Niharendu Dutta Mazumdar, who was the leader of the Union, was considered to be a communist. Perhaps, it is not unknown to some members of this House that during the strike, employers came out with a declaration in the Press that while agreeing to meet certain grievances of the workers, they were not prepared to negotiate with the Union which they considered to be a Red Union. Accordingly, the present Minister for Labour formed another Union under the name and style of "Calcutta Dockers' Union," and concluded an agreement with the employers. And, I would request him to tell this House to-day what has happened to that agreement, since he took upon himself the responsibility of solving the bread and butter problem of these 14,000 workers and about five times the number of their dependants. As far as I know, being intimately connected with the industry these dockers have been left to the absolute mercy of stevedores and are being exploited right and left. Every docker is subjected to bribery; every sardar is subjected to bribery and up till now Government have not thought it their duty to do something in connection with the employment of dockers. I maintain that the stevedores who act between the employers and dockers can be removed and sooner it is done the better for all. I maintain that an Employment Bureau for the dockers can be started with the representatives of shipowners and dockers and these stevedores who are exploiting these dockers can be removed. Roughly speaking, these stevedores get about Rs. 50 for loading or unloading 100 tons of cargo, but they do not pay more than Rs. 14 to a gang of dockers. I leave it to you to judge that while the stevedores make about Rs. 50 for 100 tons of cargo, are they justified to pay only Rs. 14 to the gang, and if they are not justified, will the Hon'ble Minister for Labour, who once happened to be connected with the labour movement and up till now is supposed to be a "President-on-leave" of the Indian Quarter-Masters' Union, take up the cause of these poor dockers?

I now come to discuss the poor lot of the inland seamen. I may tell the House that there are about 20,000 inland seamen who are all Muhammadans. So far as the dockers are concerned, the Hon'ble Minister might not have taken up their cause very seriously as there are people of other communities as well. But so far as the inland seamen are concerned, each and every one of them is a Muhammadan—not a Muhammadan by a cap and by name only but a Muhammadan in its true sense. Now, Sir, these inland seamen are paid Rs. 20 a month by the employers, but the Serang's who employ them and who control their lots do not pay them more than Rs. 5 or Rs. 6 a month. I make

this statement with a full sense of responsibility, and I did so when I appeared before the Royal Commission on Labour in 1929. There are khalasis who are paid by these Serangs to the extent of Rs. 3 a month and I will go further and say that there are instances in which they are sometimes sent out by serangs to buy "*moorgis*" or some other necessities about five or ten minutes before the ship leaves the shore so that the Serangs may escape payment altogether; so it will be seen that these poor Indian seamen are left entirely in the hands of the Serangs. There are three companies employing these people, viz., the R.S.N., the I.G., and the company known as the "Kundu Company" or the East Bengal River Steam Navigation Company, Limited. They have, Sir, a novel method of recruiting these seamen. They recruit mostly from their tenants and in the name of swadeshi they exploit these poor seamen. All these facts were placed and discussed before the Royal Commission for Labour and the Royal Commission recommended to the Government of Bengal to enquire into the conditions of these people and amend the system of recruitment which fostered bribery and corruption from top to bottom. But up till now Government have not done this, and I would like to know from the Hon'ble Minister whether he proposes to hold an enquiry into the conditions of the inland seamen, as recommended by the Royal Commission for Labour or not and thereby prove to what extent he will serve the cause of these seamen who are all Muslims and whose cause he and his colleagues claim and are supposed to be serving. With these words, Sir, I support the cut motion of my friend, Dr. Banerji.

Mr. SIBNATH BANERJEE: Last year, or rather 8 months ago, the Hon'ble Mr. Suhrawardy thanked me for having moved a cut motion and thereby bringing him out of oblivion—that was of course modesty on his part because last year he was very much in the picture due to the strike of over 2 lakhs of jute mill workers and the constant statements that he was making and the audience that he was giving to the press. Members of the Jute Mills Association and other employers were constantly going to him. They were afraid of another upheaval just like the jute mill general strike. This year I think he might feel flattered, for, of the happy eleven the first attack is launched upon him. Last year he expressed disappointment, because myself and others who had moved cut motions made only destructive criticisms and no constructive criticisms on behalf of Labour. He therefore felt disappointed but the allegations or complaints were not quite fair, because if he had eyes to see, he could have seen in his file at least four Bills submitted by me which made really constructive suggestions regarding Labour, viz., the Health Insurance Bill, Unemployment Insurance Bill, Minimum Wages Bill and the Fixation of Hours Bill. All these Bills were before him, so he could not very well say that really constructive suggestions were not made. Of course at that time last year

there was great heat, because certain statements were made in this House regarding the jute mills strike and how certain assurances given by the Hon'ble the Prime Minister and the Labour Minister and also by the Jute Mills Association were not honoured; to-day again those questions have been brought before this House by Dr. Suresh Banerji and the same complaint that the assurances given were not fulfilled and other complaints were repeated here. I need not go into them.

I should like to mention one or two facts which are uppermost in my mind. Last year we requested him to use the Trade Disputes Act so that we could know exactly what happened and if Mr. Cooper was correct in his statement that nobody was dismissed. We know that at least 400 were dismissed from Fort Gloster Jute Mill and later on from Angus Jute Mill nearly 2,000 and from Dalhousie, Northbrook and Naihati Jute Mills nearly one thousand men from each of them were dismissed.

The Hon'ble Mr. H. S. SUHRAWARDY: No, no

Mr. SIBNATH BANERJEE: Please do not deny that. An impartial enquiry under the Trade Disputes Act would show what happened, or is happening, because in this House or outside any statement made by the Jute Mills Association has been taken as gospel truth. Whenever we challenge the Government to come forward and enquire into the matter by a Committee of their own, they do not do it. Even the Trades Disputes Act has not been brought into force; we are where we were last year. Not only has there been mass dismissal, but there is another thing - section 107 is being applied against all labour unions to-day. Last year there were more upheavals and more strikes and strikes were broken by section 144 and things like that including the breaking of head of one of the hon'ble members of this House, Mr. M. A. Zaman. This year that has not yet been necessary. Government are not satisfied with their acts of omission. They are applying section 107 whenever there is any active trade union and on this plea the people are being locked up. I may refer to the case of Uluberia where 8 active workers were sentenced to one year's imprisonment or they had to furnish a bail of Rs. 300. The position is so difficult there and the Police have terrorised the people so much that nobody would come forward to stand as surety. For 5 months these 8 labour workers are in jail. Whenever people go to the police-station to stand as sureties they are threatened. They are told that "if you stand sureties you will find yourselves in jail." The Police always give unfavourable report about these sureties and the result is that when those cases are taken to the Subdivisional Officer or the Local Magistrate he also refuse to accept them as sureties.

Soon after there was another case of the Dock Workers' Union and there also they have been all convicted and only yesterday notices have been served on another set of 12 trade union workers. This is the novel way in which the Labour Minister of the Government of Bengal has thought fit to crush the labour movement, but we find that this method has not succeeded anywhere. I do not want to give the example of other provinces as my friend has already done. I do not want to show the difference between the policy or want of the labour policy of this Government and the policy of the so-called Congress Provinces, i.e., where Congressmen are in majority in Legislature. Dr. Banerji has already referred to the United Provinces and I will only refer to Bombay where there used to be a lot of labour troubles before the Congressmen became Ministers. There also, as we have got the jute industry, they have got the cotton industry. Here we have got 300 thousand jute workers and there they have got 250 thousand cotton workers. Here we demanded a restoration of cut introduced in 1932, there also was a similar demand, but what do we find? Here the Labour Minister and the Prime Minister after whatever enquiry they held told us that it was impossible to do anything to restore the cuts, but in Bombay the Ministers themselves enquired into the matter and recommended an increase of 12½ per cent. on an average. That is the difference that we see. The want of labour policy is before us and what is to be done? Last year the Minister said that we did not come forward with constructive suggestions, but I have already shown that it is not true. The Labour Minister is not wanting in ideas, because last year in this very House he made a long statement and gave us a long list of things he wanted to do about the security of service, about stopping bribery, about the abolition of *sirdari* system, about furnishing ventilated quarters for the workers and what not, but what do we find? Last year we had sympathy for the Labour Minister and also for the Prime Minister, because before they came on the saddle, already there was a strike of 80,000 men——

(The member having reached the time-limit resumed his seat.)

Mr. ABDUR RAHMAN SIDDIQI: The Hon'ble Minister for Labour will explain his labour policy, perhaps, at the end of the debate. I should like to draw his attention to a matter which has disturbed us, of the Muslim Chamber of Commerce, considerably. It is in regard to the condition of the Indian seamen in Calcutta. I had occasion to attend a Committee Meeting on behalf of the Muslim Chamber of Commerce, held at the Shipping Masters' Office and I found that conditions among this section of people in Calcutta were really appalling. There were thousands of seamen unemployed. The condition of their service was not very good and the Bariwallas were actually sucking all the blood out of them. Disease was rampant

among them and, although funds were available, nothing was being done for them. I know, Sir, that the Port of Calcutta is not directly under this Government but it may be possible (and I should like to appeal to the sense of pity of the Hon'ble Minister) to approach the Government of India and to find out from them what happened to the lakhs of rupees that the seamen of Calcutta should have received out of German Reparations, made over to the Government of India. To our surprise we were told that under some rules of accountancy the whole of that amount has disappeared, and try as hard and as much as we might, we would never be able to lay our hands on that money. Then, Sir, there are other funds available—Sunday duties and holiday duties and so on. The Port of Calcutta may be under the Central Government but the seamen of Calcutta, their welfare and their livelihood is a problem to which the Government of Bengal cannot be indifferent. If the local Government actually takes pity on this sea-faring population in Calcutta, mostly concentrated at Kidderpore and uses its influence and good offices in its favour, then I am sure, the Government of India will not hesitate to extend its sympathy to it, and we should be able to do at least something for these poor seamen, who are as I have said, mostly unemployed, semi-starved and suffering from diseases of all sorts and kinds. If we do get that lost Reparation money and if we could get our proportionate share of the amounts collected in the nature of fines and punitive duties, proportionate in regard to their numbers and proportionate on the ground of what other nations are doing for their seamen, I am sure that we could make life a bit better and a bit more bearable for these seamen and, therefore, without saying anything more, I should like my friend the Hon'ble Minster for Labour to do something for these thousands of people who are really living a life of penury and misery.

Mr. J. N. GUPTA: Mr. Speaker, Sir, standing to speak on such an occasion, although as a railway man I represent railway labour, which has nothing to do with provincial problems, still I think as the representative of workers and in sympathy with the other workers and as affiliated to the Central Labour Organisation in India, I really feel that the speed with which the Labour Minister has started introducing schemes to solve the problem of removing the hardships of the workers is nothing but bullock-cart-speed. If you look to the condition of the United Kingdom, you will find that the Ministry of Labour there is the biggest portfolio. The Minister there has got lots of work to do. But here we find that the Hon'ble Minister is not even trying to introduce schemes for improving the conditions of labour. What he has done is simply that he has increased his demand from Rs. 10,000 to Rs. 20,000. What will this paltry sum of Rs. 20,000 do in this regard? We find that the Ministers' travelling requires Rs. 25,000

for 3 months. Do you expect that Rs. 20,000 will give relief to 50 lakhs of workers in Bengal? That is why, I call his speed bullock-cart-speed. (Rai HARENDRA NATH CHAUDHURI: With two bullocks only.) I again appeal to the Hon'ble Minister that instead of going out on tour to give lectures in other constituecies, it is his duty to meet labour in Trade Union Constituencies and confer with the labour leaders and seek their help and get their suggestions how to formulate schemes to stamp out the difficulties and the hardships that they are subjected to. I know that two years back the Hon'ble Minister had a different outlook. Labour Unions on communal basis were started by him but the Government rejected them saying that no Labour Union will be recognised on communal basis. Since, however, the Hon'ble Mr. Suhrawardy has joined the Government, he is in agreement with the policy of the Government. Therefore there is no apprehension of any communal labour organisations.

I would now ask him to look to the conditions of housing of the workmen. See how they are housed. It is for the Labour Minister to introduce legislation so that there may be floated certain companies who will make cheaper houses available for the workers. Government are practically helping the exploiters, the capitalists, to build houses and earn more profits by renting these houses to workers on exorbitant rents. A man who draws Rs 10 per month has to spend Rs. 5 for his house. Why not make cheaper houses available in India? Why don't you persuade the capitalists to take up his work and introduce some legislation so that cheap houses may be built? So I again request him to increase his speed and introduce some means for the protection of the workers.

Mr. J. R. WALKER: Mr. Speaker, Sir, I had no intention of taking any part in this debate but the statement made by my hon'ble fried Mr. Banerjee compels me to do so. He made a remark that the Indian Jute Mills Association victimised jute mill workers for going on strike. We said in this House once before that this was not true and I repeat it again to-day. No jute mill worker has been victimised for taking part in any strike. Mr. Banerjee said that 2,000 workers in the Angus Jute Mills had been dismissed, 1,000 in Dalhousie Jute Mills and 1,000 in Northbrook Jute Mills. In Angus I should say that this represents approximately 25 per cent. of the labour force and also to the same extent in Dalhousie and Northbrook. I need not say very much more, Sir, because I think the mere statement made by Mr. Banerjee, namely, these jute mills victimised 25 per cent. of their labour for going on strike is sufficient to prove that the statement is not borne out by any fact whatsoever. Sir, I have nothing further to say.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir, the hon'ble the mover of the cut motion did not touch on the details of

policy which I have been enunciating from time to time, and I take it that so far as I have enunciated that policy it has his approval and the approval of other labour leaders. He only pointed out certain items of omission and I shall refer to those items of omission a little bit later.

Now, Sir, let me tell the House what is really the present outlook of, and the relationship between capital and labour, and how in my humble opinion it ought to be tackled. Actually, Sir, it is an attack on psychology and on mentality which alone can solve the problem. On the one side we have the labourers developing a mentality of opposition—in their speeches they do not hesitate to call their employers all kinds of evil names; they talk of revolution; of communism, of red flag—although I must say that I have no objection to the red flag, as I have said on several occasions, provided the movement is conducted on right lines. But when the red flag means——

Mr. AFTAB ALI: On a point of order, Sir. Sir, the communist party has been declared illegal in India. Is the Hon'ble Minister therefore right in passing sweeping remarks that labour leaders and labour unions are talking about communism?

Mr. SPEAKER: Well, that is not a point of order.

The Hon'ble Mr. H. S. SUHRAWARDY: Quite true, Sir, and I would refuse to pay the slightest attention to this interruption. On the one side we have this position, and on the other we have the employers who have hitherto not paid the slightest attention to the demands of labour. Some of them have paid some attention and therefore we have medical relief in some places, housing in most places and so on and so forth. But generally speaking, they have not looked upon the labour conditions with that degree of sympathy which I think the labourers are entitled to get from the employers. Therefore we have this to deal with; we have to induce the employers to change their mentality and psychology so that they can recognise the just and fair demands of labour. On the other side, we have from the labourers' point of view to point out to him that whereas he should be strong and should stand on his own legs so as to be able to fight out his own case, it does not necessarily mean abuse of power and talking revolution and adopting a mentality of insensate hatred and violence. This is the purpose that the Government has placed before it, and it is from this point of view that whereas I have been appealing to the labourers to conduct their trade disputes along recognised lines of conduct, viz., by means of placing their demands, by means of conciliation, by avoiding lightening strikes, by approaching the employers and failing them, by approaching the Government for arbitration, I have been on the other side inducing the employers to do something for the

labourers. The employers and the Employers' Associations have been flooded with suggestions from Government as to how to ameliorate the conditions of labour which possibly other Publicity Governments would have blazoned forth as work being done by Government on behalf of labour. I do not propose to adopt and I have not adopted that attitude of publicity, because it is only after I have been able to achieve something for labour and have been able to get the employer to concede something to the labourer that I will place before the country what this Government has done on its behalf. But up till then I shall remain silent. I have as a matter of fact before me to-day the conditions of service that have been drafted by the Indian Jute Mills Association for their labourers. One of the items of my programme is to go through each industry one after the other and draft out conditions of service which shall be set down in writing so that the labourers will know precisely what their rights are and the public will be able to judge whether the labourers are getting a fair deal from the employers or not. I have also made various suggestions with regard to provident fund, gratuities, pensions, housing, etc., all these are there before them and I want them to consider these, and to come to a definite finding, because what I feel is that by antagonism and fight alone labourers cannot get in the present state of their weakness any serious betterment of their condition, whereas if we can capture the sympathy and co-operation of the employers we shall be able to get something for the labourers. One further thing has got to be considered always, viz., that every ameliorative measure means an addition to the real wage of the labourer; and we have got to consider on every occasion whether any particular industry can stand the burden of our imposition. Mr. Shibnath Banerjee has referred to the four Bills which he considers to be constructive suggestions. I consider them to be absolutely destructive suggestions, which will totally destroy any industry to which they will be applied, as for example, it is suggested in one of his Bills that the minimum wage must be Rs. 30. All those who are aware of the condition of this country must realise that if Rs. 30 is going to be the minimum wage of each labourer, then every single industry in Bengal will have to close its door and migrate to better and saner provinces. I have gone through each Bill and although there are some that have a certain basis of reason behind them in a developed country, for this country in its present condition they are more of the nature of destroying the industry than that of rehabilitating labour. Now, Sir, I have not referred in that constructive policy of mine to provident fund and invalid and old age pensions—and unemployment insurance I have left out particularly and deliberately—but the other two are matters with which Government can have no concern except in so far that it can induce the employer to accept them for his employees, which I have done. Government are prepared to place before the employers model rules and

as a matter of fact, they have been drafted. And these along with savings banks, co-operative societies and so on I am inducing the employers to take up. So far as unemployment insurance is concerned, it is true I have not taken it up and I still hesitate to do so. Unemployment in this country is a very big problem, and we never know who are unemployed and who are not; persons who are employed to-day are in an unemployed state to-morrow, and to be able in the case of casualisation of labour which exists, for instance, in Calcutta and other places to pay for unemployment insurance would mean bankruptcy of the unemployment insurance fund or of any Government that may finance that fund. Even in England, as Mr. Banarji ought to know, this unemployment insurance fund was backed by Government but now that fund is bankrupt, and Government had to pay large sums of money out of the general revenues in order to be able to keep it up. Mr. Banerji referred to certain other items which he considered to be a betrayal on my part. Well, I do not know whether I have time to deal with everyone of them. So many instances have been given—and most of them have been founded on misrepresentation—that in order to be able to deal with them, I would have to go through the whole history of each incident. But I can say this and I reiterate that even after enquiry I have come to the conclusion that there was no victimisation in any of these mills consequent on the strike. Let me tell you, why. I feel that each of the mills that were there were so terrorised at that moment that they dared not dismiss a single person even for bad work for a long, long time; for several months, even workers who were indisciplined, who were behaving badly——

Mr. SHIBNATH BANERJI: I referred to the dismissals in the Dalhousie Jute Mills, not out of the last strike but subsequently.

The Hon'ble Mr. H. S. SUHRAWARDY: Very good. I quite realise that so far as the victimisation out of the last strike is concerned, Mr. Banerji has got the answer.

Rai HARENDRA NATH CHAUDHURI: He did not refer to it at all.

The Hon'ble Mr. H. S. SUHRAWARDY: Not Comrade Banerji but Dr. Banerji referred to it. Comrade Banerji referred to other incidents, viz., of certain dismissals that took place subsequently and not very long ago, and I have been keeping myself in touch with them. I think the word victimisation may be ruled out. Call them dismissals, because victimisation arises out of a deliberate policy on the part of the employer to punish an employee for having gone on strike or for having taken part in trade union activities. And in most of these cases the position came to this that there was so much lawlessness and

indiscipline in those places, and so much defiance. We have had instances—

Dr. SURESH CHANDRA BANERJI: Any evidence excepting Jute Mills' Association?

The Hon'ble Mr. H. S. SUHRAWARDY: Well, several instances. Do you think that these 107 cases would have been launched against your workers if there had been no cases of lawlessness? Comrade Banerji states, that this Government is oppressing the workers by launching these 107 cases against them. The fact that each one of these cases has ended in conviction shows quite clearly that it was only in extreme cases and cases where these persons had deserved that punishment and deserved proceedings against them that Government took up proceedings. We have no desire whatsoever to crush trade unionism. Honest and genuine trade unionism will get the fullest support of this Government.

I will pass on to points raised by some other speakers. But before I do so, I may refer to the Calcutta Electric Supply Corporation negotiations which were raised by Dr. Banerji. I do not think he was here in Calcutta when these started. He came really at a later stage. I have no knowledge at all, and it is not down in any single paper which has passed under my eyes, or Mr. Hughes's having been selected as an arbitrator or matters having been left to his discretion entirely. Had the parties agreed to do so, I think Government might have stepped in deliberately to try and negotiate the matter.

Dr. SURESH CHANDRA BANERJI: I can produce documentary evidence.

The Hon'ble Mr H. S. SUHRAWARDY: I shall be very glad if Mr. Banerji will show me those papers in which Mr. Hughes was asked to be the arbitrator between the two parties. But I may tell Mr. Banerji that enquiries are being conducted by the Calcutta Electric Supply Corporation and enquiries were conducted,—it was no bluff,—enquiries were conducted by the Department, and I may say I put it down as Labour Commissioner, they were conducted by me with the Labour Commissioner. We have come to certain findings with regard to the various points in dispute. Thereafter in order to go into further details, the Electric Supply Corporation is conducting its enquiry and will place all the facts. It will not be very long. If Mr. Banerji had been able to keep his soul in patience for all this long time, I hope he will be able to hold his patience a little bit longer. It will not be very long when we shall be able to state what has been the result of these enquiries.

Dr. SURESH CHANDRA BANERJI: Were labourers invited during these investigations?

The Hon'ble Mr. H. S. SUHRAWARDY: Not the labourers of Mr. Banerji's clan, but other labourers have been invited.

Dr. SURESH CHANDRA BANARJI: Labourers of the Electric Supply Corporation?

The Hon'ble Mr. H. S. SUHRAWARDY: Yes, the labourers of the Electric Supply Corporation, and their demands have been obtained.

Now, as regards the speech of Mr. Aftab Ali, he has not referred to his own section,—namely, seamen,—and this was left to Mr. Abdur Rahman Siddiqi. It is perfectly true that the conditions of Indian seamen are very bad, and almost as soon as I came into office I started investigating their conditions and corresponding with the Government of India, and asking the permissions of the Government of India to go ito the matter itself as a provincial Government. I regret to have to say that we are still in that stage, and the only satisfaction that I have been able to get is that the Government of India is sending out a certain representative from the Labour Office in order to consult with the Labour Office here and try and find out to what extent this Government may interfere in the labour conditions of the Port.

Mr. M. AFTAB ALI: After the representation of the Union?

The Hon'ble Mr. H. S. SUHRAWARDY: I am afraid that was long before the Union made the slightest move, and I think if the files are looked into, it will be found that this file was started within a week after I entered office, long before the Union made the slightest representation or gave any inkling of it.

Mr. Aftab Ali has referred to two unfortunate sections of labour. As a matter of fact there are many sections of labour that are unfortunate, I must admit. One is with regard to the Dockers and the other is with regard to inland river. I am sorry that he said that possibly I have not taken up the Dockers' cause because there are some Hindus in it and so on, and that I should take up the inland mariners' cause, because it is solely composed of Muslims. Sir, there is not the slightest difference between the two communities for me. As a matter of fact I am taking up the dockers' cause with much more earnestness that I am taking up the cause of inland mariners although they are made up totally of Muslims. I will refer to inland mariners first. There is a union which is supposed to be well run and moderate, called the Bengal Mariners' Union. I had occasion to meet the representatives of the Bengal Mariners' Union, and I requested them

to come and discuss with me the conditions of the Inland Rivers Mariners. But I regret to say to Mr. Aftab Ali that they did not come and see me, nor did they send a deputation although they promised to do so, and I am awaiting their grievances. I know a great many of them myself. I too have taken advantage of my trips to Eastern Bengal to go round and talk to the Khalasis and Serangs with regard to living conditions there, and I can speak as a result of my investigations and I can say something to this House if the House is in a mood to listen to it as to what those conditions were. They are not so bad as painted by Mr. Aftab Ali, although they are bad to some extent.

With regard to the dockers, it is true that the agreement that was arrived at on the 9th January, 1935, to which I happened to be a party has not been honoured by the stevedores. It is true that the conditions of the dockers to-day are such that I deplore them. They are being victimized, and there are many suggestions as to how their conditions should be improved. I am not in a position to-day to tell you what must for some time remain a Cabinet secret, but I desire to assure this House that we are taking steps with regard to the conditions of dockers, and I hope either by the time the budget session finishes or within the course of a fortnight thereafter, the House will have its answer with regard to that, and I hope that the persons interested in their fate will be satisfied.

The motion that the demand for Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 100 was put and lost.

At this stage the House was adjourned for 15 minutes.

(After adjournment.)

Mr. PRAMATHA NATH BANERJEE: I rise to move the cut motion which stands against my name, namely, that the demand of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 100 to raise a discussion on the failure of the Government to effect economy on account of "General Administration". Mr. Speaker, Sir, I like the expression "cut motion" as a member of the opposition. That expression, Sir, covers a multitude of sins. The criticisms levelled against the "General Administration" have been as eternal as the hills, and yet what do we find to-day? Practically no retrenchment, no economy, has been effected in "General Administration." This year, Mr. Speaker, we start with an opening balance of one crore and six lakhs of rupees and a closing balance of about one crore and ninty-one lakhs of rupees. The demand for General Administration asks for a sum of one crore 51 lakhs and 35 thousand rupees. This is under two head "Voted"—one hundred and fourteen lakhs and

eight thousand and "Charged"—thirty-seven lakhs and twenty-seven thousand. Mr. Speaker, if I were to accept the noble speech of my friend, the Hon'ble the Finance Minister, printed in the Book which was circulated to us as the text of my speech, then Sir, I shall be confronted with four great propositions which he lays down. The first proposition which the Hon'ble the Finance Minister laid down was that retrenchment involves in popular conception two unacceptable ideas namely, first, reduction in the salaries of officers, and secondly reduction in the personnel. According to him the increased efficiency of the servants of the Government may lead to effective retrenchment. The second injunction which he gave us was that we must not rely upon arithmetical calculations for a probable comparison. Arithmetic is one of my weakest points and I did not know that it was also one of the weakest points of our Hon'ble the Finance Minister, but if it is, he is fortified by precedents of the weightiest value. Lord Randolph Churchill was Chancellor of the Exchequer once upon a time. Lord Churchill is well known to us by his own right because it was he who said that Ulster must fight and Ulster must be right, and secondly, he is familiar to us because he is the father of our great Indian friend Mr. Winston Churchill. He was Chancellor of the Exchequer. Somebody in the Treasury Benches went up to him with Budget figures. He could not understand the real distinction between decimals and other integers, and he used quite unparliamentary expressions in reply which Mr. Speaker, I dare not repeat. I shall mention a portion of what he said: "what did these 'd—'d dots mean?" The third injunction which the Hon'ble the Finance Minister laid on our soul is this that we must be careful about the machinery of Government and that the machinery requires oil and fuel. Sir, born in a country like this, living in a country like this, I fully visualise the importance of the expression "Oil". "Fuel" is a word which has got a far greater significance than "Oil". I do not very much like it. The fourth injunction which the Hon'ble the Finance Minister gave us was that the present Budget effects retrenchment to a considerable extent and for the purpose of fortifying this argument he has distributed a White Paper. We are all familiar with white papers all the world over. I am glad that an innovation has been made by the Hon'ble the Finance Minister in circulating the White Paper. He is fortified by custom, fortified by precedents, sanctified by truth, purity and innocence underlying the emblem White—I looked into the White Paper very carefully and I found startling figures. So far as the present demand is concerned, the Swan Committee which consisted of 5 members came to the conclusion that the expenditure under the head "General Administration" should be reduced by 18 lakhs. The White Paper mentions it as 15 lakhs, but after all when we are voting away lakhs and lakhs of rupees, the difference between 15 and 18 is absolutely immaterial, apart from the time which we take over the discussion of these grants. Therefore,

Sir, the position is this—The Swan Committee recommended a reduction of 18 lakhs. Now I discover—to my utter dismay and horror that between 1936-37 and the present year expenses under the head "General Administration" have gone up by 47 lakhs. The actual total for the actual total of expenditure for the year 1936-37 was one crore thirty-four lakhs and 97 thousand. If we deduct from this figure the abnormal expenditure incurred on account of the Election Expenses—our own Election expenses coming up to about 7 lakhs and 18 thousand—the actual expenditure for that year was one crore twenty-seven lakhs and seventy-nine thousand. This year, Sir, the Hon'ble the Finance Minister has budgetted for an expenditure of one crore, fifty-one lakhs and 36 thousand, but that is not all. If we add the expenses to be incurred in connection with the establishment of the Debt Conciliation Board of which my friend the Hon'ble Mr. Mukunda Behari Mullick is such an staunch advocate then we will have to add 12 lakhs and 15 thousand more to this figure. To this figure, Sir, we must also add an amount of Rs. 2,06,000 on account of the transfer of a particular item in the grant from General Administration to Communications. Next, Sir, we have to take into consideration the 7 lakhs of rupees and odd on account of new buildings. They are in the nature of capital grants. These come to the grand total Rs. 1,73,92,000 . . ..

Rai HARENDRA NATH CHAUDHURI: No, it is Rs. 1,75,98,000.

Mr. PRAMATHA NATH BANERJEE: Sir, my friend corrects me; he says it is Rs. 1,75,98,000. Well, Sir, I admit once more that my arithmetic is very bad.

Then the expenses on account of General Administration during the two years alone have gone up by only 50 lakhs of rupees. That is the position before us. This increase is sought to be justified on account of the additional expenditure of Rs. 12,00,000 on account of the establishment of the Debt Conciliation Boards. Let us assume for argument's sake that the Debt Conciliation Boards will bring in a new heaven and a new earth. If we also further add Rs. 13,00,000 which will be spent on account of our self-denying ordinances in this House and in the other House, viz., on account of our salaries, travelling allowances, conveyance allowances and other allowances, even then, Mr. Speaker, the demand is in excess of the figure for 1936-37 by more than Rs. 26 lakhs. Now, Sir, under what heads are these items proposed to be spent? If Mr. Speaker, you will be good enough to look at the red book, page 79, you will find that we have these items. During the limited time at my disposal I shall confine my attention to only 5 items. The first is the reorganisation of the establishment of the Commissioners' offices, District and Subdivisional Offices to the extent

of Rs. 1,12,000. Sir, the Mukherji Committee of 1922 and the Swan Committee of 1932, of which I believe one Mr. Azizul Haque as he then was, was one of the members, came to the conclusion that the offices of the Divisional Commissioners might be retrenched and that instead of five Commissioners there should be only three. That was, Sir, certainly the recommendations of the Swan Committee of 1932.

Rai HARENDRA NATH CHAUDHURI: The Mukherji Committee proposed the abolition of the Commissioners altogether.

Mr. PRAMATHA NATH BANERJEE: Sir, in the words of the Swan Committee the Divisional Commissioners constituted a rod between the Divisional headquarters and the District Officers for the purpose of carrying on the machinery of the administration. If that is so, then I can very well understand the reason for the provision of Rs. 1,12,000 this year. It will, in the felicitous expression of the Hon'ble the Finance Minister, serve to oil the machinery. The question of the Divisional Commissioners has been a question of doleful tale in a neighbouring province, and we hear that even a suit is going up to the Federal Court. I wish the Federal Court all joy because that may be the first case that the Federal Court will be called upon to decide since its inauguration on the first of October, 1937.

The second item, Sir, is the provision of a Private Secretary for the Hon'ble the Chief Minister. The Chief Minister is so over-worked that I consider it eminently reasonable that he should have the services of a Private Secretary. The only question is: Will the appointment be confined to the members of this House or not? If it is, then we, on this side of the House, shall all send our applications to the Hon'ble Chief Minister.

The third item, Sir, is the provision for a Director of Rural Reconstruction and a Special Officer for Unemployment. Sir, the words of the Hon'ble Minister for Labour this evening are still ringing in my ears. At one time he said, we are employed and at another we are unemployed. If there is a Director for Unemployment I suppose that all the members of this House will receive continuous appointments and will for ever remain grateful.

Then, Sir, about the Rural Reconstruction, does it require the services of a Director? We have got so many Directors in so many directions that we believe we will be able to see the consumation of the wishes of every one in this House that we may fill these posts with weight with dignity and with honour.

The next item, Sir, is the provision for the purchase of a motor launch for the Subdivisional Officer of Khulna. I believe that Khulna is the district which is under the dominant control of my friend the Hon'ble Minister for Co-operation. If he has the delight and pleasure

of a river trip, which will give him health, wisdom and experience, then we shall all be applicants for the purpose of sharing with him the honour, delight and pleasure.

The last item, Sir, relates to the purchase of an elephant. Sir, this session started with an official Rhinoceros's Preservation or Protection Bill. Now it is the case of that other noble animal the elephant. Before this I never realised that the value of an elephant was only Rs. 2,000—cheaper than a motor car.

The Hon'ble Mr. H. S. SUHRAWARDY: We have brought it down to Rs. 2,000.

Mr. PRAMATHA NATH BANERJEE: Sir, I am very glad to hear that the Hon'ble Minister has succeeded in his labours. This elephant should be a fit and proper animal for the Hon'ble the Home Minister, and if and when, Sir, this elephant is purchased and the Hon'ble Home Minister makes use of it I hope he will give us proper intimation. I shall take the particular care to go with photographic apparatus so that we shall all be able to visualise his joy-ride on the elephant. Sir, the point is that this demand for the grant under the head "General Administration" makes no concession whatever to the popular opinion for retrenchment. The speech of the Hon'ble Finance Minister visualises the possibility of retrenchment, but we have so many committees appointed for retrenchment that I am always tempted to say in the words of Tennyson's "Brook"—

"Men may come and men may go;
But I go on for ever."

Sir, there is just one word more and I have finished. The demand for a lump provision of Rs. 1,12,000 for the purpose of reorganisation of the Commissioners, District and Subdivisional Offices. Sir, this is a new Government—a responsible Government, responsive to the popular opinion and the opinion of this House. In the previous Governments we heard it said that no provision in the budget could be made until a scheme was forthcoming, and for many a month midnight oil was burnt at the alter of schemes. This time I am glad that the Hon'ble Home Minister has made a departure from that time-honoured convention of having schemes and schemes. This is a lump provision and I hope a further lump provision will be made for the purpose not merely of "entertaining additional officers" as set forth on page 79 of the red book but for the purpose of the entertainment of all the members of the House and shall I say, of our brotherly or shall I call the sisterly House high above.

I am very deeply grateful to you for the great kindness which you have shown me by giving me five minutes' time. The Hon'ble

Finance Minister in the course of his speech referred to my foam and froth. In this debate I gave him sufficient figures to illustrate my proposition that the present Government or its predecessors have not carried out to any appreciable extent the recommendations of the Swan Committee. The Swan Committee recommended that a sum of Rs. 18 lakhs might easily be taken off from the head "General Administration". The figures in the white paper, if added up, will show that the Government have retrenched only to the extent of 1 lakh and eleven thousand rupees. I hope even the arithmetic of the Hon'ble Finance Minister realises this difference between 18 lakhs and 1 lakh 11 thousand. The Hon'ble Finance Minister will not deny the absolute and the imperative need of this Province not only to proceed with caution and circumspection but also to proceed in the greatest possible economical manner. This province has during the past due to the inequitous Meston Award suffered loss to the extent of at least 60 crores of rupees. This province faced the appointment of two expensive Retrenchment Committees but the recommendations of those Committees have not been taken into proper account by the Government of the day.

The Hon'ble Finance Minister is very pleased to refer in a manner which I cannot say a dignified manner to the Ministries, Congress Ministries of other Provinces in India. I must remind you, Sir, that the present rules and standing orders put a ban upon certain expressions being used about the Legislatures elsewhere. In my speech I never made a reference to any Ministry other than the one with which we are concerned.

The Hon'ble Home Minister has sung pæans of praise about the Circle Officers. In my humble opinion his arguments were proceeding in a vicious circle. Rural reconstruction forsooth when the question of economy is not tackled properly even though two official committees appointed by the Government of Bengal have reported on considerable reduction of expenditure.

I have just one word about one other item under Grant No. 12, namely, Civil Secretariat. You will find that in 1936-37 the year which the Hon'ble Finance Minister has erased from the Red Book the grant amounted to about Rs. 16,61,000. This year he is asking for a grant of Rs. 20,71,000.

There is just one concluding remark and I have finished. I have no reason whatever to be hypercritical of the attitude of the Finance Minister. If he suffers from criticisms which have been offered against his budget, I may very respectfully point out to him that his constitutional position is such in the course of his presentation of the budget and in budget discussions that all criticisms must necessarily be directed against him. There is no question of any personal reflection upon the integrity or the capacity of the Hon'ble Finance Minister.

Last of all the Hon'ble Finance Minister referred to those two very valuable commodities in Bengal with which we are very familiar, namely, the oil and butter. I pass over those observations with the utmost respect that those observations demand from any member of any legislature in the world.

Mr. HARIPADA CHATTOPADHYAY: Mr. Speaker, Sir, I wholeheartedly support the cut motion moved by my esteemed friend, Mr. Pramatha Nath Banerjee. Last year during the Budget debates the Hon'ble the Chief Minister assured us on behalf of the Government that they had definitely accepted the policy of economising the expenditure. But that cheery assurance, that solemn promise has been observed more in violation than in observance, as in countless other cases. Even the Swan Committee's recommendation for saving Rs. 17·89 lakhs from general administration has been turned down. Government at the end consoles us by saying that most of the recommendations of the Swan Committee will not fully materialise for another 22 years or so.

Let me, Sir, go straight into the figures and suggest some tinkering amendments.

With regard to Ministers' salary, with allowances, honoraria, etc., etc., it swells up to 4·53 lakhs. If the Ministers be pleased to accept a consolidated sum of Rs. 750 per month, a saving of about 3·5 lakhs can be made.

With regard to the members of the Legislature, if the members accept the pay of Rs. 75 per month and travel lower class, we can save about Rs. 7 lakhs out of 13·32 lakhs.

As regards Civil Secretariat, the department is over-staffed. If we can get rid of our false sense of prestige for this pompous show, this costly bureaucratic officialdom, this Omrahas and Munshebdars and reduce their number on the lines of the Swan Committee's recommendations, we can save much of the huge sum of 20·7 lakhs.

Coming to Divisional Commissioners, I may say that they have come in for much criticism year in and year out; for on all sides it has been admitted that they are performing no such useful and important function as to absorb Rs. 4·26 lakhs. Retrenchment Committees have recommended abolition or at least reduction of the posts. Yet our popular Ministers have become enthusiastic advocates of them. They need them, they say, for co-ordinating rural development works. How paradoxical it is! Actual rural development works starve for want of funds, yet people must pay for costly supervision.

District Administration comes up to 78·72 lakhs. The pay of officers alone amount to Rs. 38·8 lakhs. By amalgamating the Bengal Civil Service and the Bengal Junior Civil Service on a uniform scale

of pay and provincialising the Indian Civil Service, this huge expenditure can be reduced to half.

Coming to the Hill exodus, I may say that this unjustifiable waste of public money is nothing short of a scandal. Yet our elected Ministers, trustees of the people, justify this like irresponsible satraps of the old in the name of efficiency.

If instead of shedding crocodile tears, we had a little genuine sympathy for the people, we could reduce the cost of general administration by at least half.

Sir, I feel no interest in suggesting tinkering amendments. I find the very mentality behind this allotment to be perverse. The constitution is changed, but the spirit of the old still persists. The Kaiser goes but the generals remain. The invisible hand of Imperialism still dominates and leads our popular Ministers. Sentimental platitudes are used as smoke-screens to cloud the real intentions behind. The colossal expenditure on general administration reveals a tame subservience to *status quo* and the Ministry would have been well advised, had they not capped it with a longish sermon on our social well-being? It reminds me of a children's story. The walrus deeply sympathised with the lobsters that he was eating up. The Ministry wallows in sympathy for poor masses who only pay but cannot call for the tune. The system eats up the poor man's rightful dues. Presumably, the slogan of the Government is "move in the old grooves but shed tears for the masses." In our country there is a saying that the King like the sun draws contributions from the people only to return them back in beneficial showers. Here our 11 Kings are adept in the art of drawing contributions; but they reserve the lion's share for them and return the rest in bountiful and patronising showers not to the people but to the lesser satellites of the sky, the Secretaries, Under-Secretaries, Commissioners, District Officers and a host of others.

Sir, the Ministry notes our persistent demand for economy reinforced by public opinion outside. That is well and good, but what have they got to say in reply? Efficiency! Efficiency the watchword, the hobby-horse of sundried bureaucrats who has the effrontery to say that a policeman is more valuable than the constitution, is their guiding star. Efficiency must we have indeed, but for whom and to what purpose? Efficiency certainly must not be built on the bleached bones of the people. Here the people are dying of starvation and disease, education, industries and the nation-building departments are neglected, yet the Government echoes the old old tale of efficiency. While the base is crumbling down through years of exploitation they spend royally for keeping the top bright and shining. While Rome burns, Nero fiddles. Nero fiddles sentimental ditties about equality and socialism. The budget speech of the Ministry is a strange medley of

moods. The first part extols efficiency following the Civil Service tradition and the second part lapses into sentimentalism cruelly betrayed by the first. Red tape and sentimentalism, one is curious to know which of the two represents the Government.

"Strict economy must of course be our watchword in all departments of public service"—says the Ministry. When we are presented with such fine sentiments we feel as though we are listening to nation-builders like Lenin or Stalin. But no, our heroes are full of saw-dust and the true colours come out when they reject everything in the name of efficiency and try to spoon-feed us with such exploded non-sense that economy cannot be effected without impairing efficiency. With the blessed word "but" they swallow their own sentiments when all their tall talk about economy formulas on the submerged rock of efficiency. And with all their cant of socialism they want us to believe that there is no emergency to justify a cut on salaries. These are normal times proclaim the prophets. And in normal times we cannot touch the salaries, we cannot introduce a policy of retrenchment, we cannot place the public servants on ration diet and so on. Times are normal indeed, because poverty, disease, illiteracy are normal features of a country bled white through years of exploitation. Does the Government approve of it by saying that these are normal times?

Sir, we must not forget for a moment whose budget we are preparing here. Here in this air-conditioned Hall amidst this pomp and luxury we sit and hear our own hands clapping and there in the country outside the silence of the graveyard reigns. Our country is composed of a lakh of villages, and a handful of towns. Our country lives in villages—and what is the situation there? No statistics are necessary. The malaria-stricken, half-naked, famished human beings, skeletons, steeped in ignorance and age-long superstition, that roam there bear witness to the real situation. The Ministry of Louis XIV had the impudence to say "the people are starving, let them eat grass, Messeigneurs must be happy." People have no money to buy straw for thatching their dilapidated cottages and here the Ministers want another 15 lakhs for building another temple of folly like this. Why should we hesitate to put servants on ration diet? When the masters seldom get a square meal a day, why should we canvass for cakes and ales for the servants when the masters themselves have no bread? Sir, in the name of the people who have sent us here I support the cut motion and ask this House to accept it.

Maulvi ABDUL LATIF BISWAS: I cannot congratulate the Government on the attitude they have taken on the question of retrenchment. At the time of the last session most of the members were agitating and these questions were discussed theadbare and we had the assurance from the Government that the question of retrenchment

will be tackled and tackled in a sympathetic spirit. But I confess that the White Paper which has been distributed among the members appears to me to be disappointing and thoroughly worthless. (Cries of hear, hear).

First of all I would like to deal with the question of the members of the Civil Service over whom we have no control. We know that we have no control over the Civil Service but that ought not stand in the way of Government in submitting a representation to the Secretary of State for the curtailment of their pay. I submit that the White Paper does not give any indication that the Government are moving towards that direction.

Next comes the question of the Provincial Service. We are thoroughly aware that a great number of the people of this country do not get their full meals twice daily, but at the same time when we look at the condition of the Provincial Service officers, we find that they are becoming fat with their high salary. Of course we have read in the budget speech of the Hon'ble Minister that we have no hand over their pay, over the pay of those officers of the Provincial Service who had their substantive posts on the 1st of April, but that does not mean that if we make any reasonable proposal for the curtailment of their pay, it will not be accepted by His Excellency the Governor. I confess and I say that I do not find any indication whatsoever that the mentality of the Government, or the angle of vision of the Government has changed.

Next I am taking the question of the Excise Department.

Mr. SPEAKER: I am sorry you cannot take the Excise Department in this cut motion. It is only on the policy of the General Administration that you can speak.

Maulvi ABDUL LATIF BISWAS: I was going to show that the recommendation of the Swan Committee—

Mr. SPEAKER: That is out of order.

Maulvi ABDUL LATIF BISWAS: All right, Sir.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Is it not a fact that the Secretary of the Forest and Excise Department is to be paid out of this Budget grant? If that is so, is not the hon'ble member within his right to examine the rate of pay of the Secretary?

Mr. SPEAKER: I think you are not right. I am bound for the time being by the motion which has been moved by Mr. Pramatha

Nath Banerji, viz., failure to effect economy in general administration. If it was for the purpose of reducing the salary of the Secretary, Excise Department, it would be perfectly in order. But if it is for the reduction of salary of any other officer of that Department, I am afraid, it is not in order.

Maulvi ABDUL LATIF BISWAS: My point is this: that economy was not effected but I bow to your ruling. To me it seems that the question of retrenchment is the question of general administration. Now I am referring to this that though it was suggested by the Swan Committee of which you were one of the members and we were given to understand by the Finance Minister that Mr. Blandy was appointed to consider the question of retrenchment, yet when I turn my eyes towards the White Paper it disappoints me thoroughly.

As regards the Commissioners it was pointed out by Mr. P. N. Banerji that nothing has been done regarding the recommendation of the Swan Committee. I admit that we have no right to do away with these posts, but that does not mean that Government cannot come forward with a recommendation that they will move the Secretary of State to remove them. Just a few days ago the matter was discussed threadbare in the Assam Legislative Assembly and though they could not do away with these appointments I understand that they have referred to the Secretary of State the proposal for the curtailment of the post of one of the Commissioners.

One other thing I must say before this House is that if anybody handles the White Paper what does he find? He finds that nothing has been done by the present Government. Something was done by the previous Government. Here there is not a single instance in which it will be found that the matter is under the consideration of Government; In curtailing the expenditure, the Government have not shown their keenness towards retrenchment. One thing I should say is that Government should show that their angle of vision has changed and that they are for the people and not for the high-salaried officers. We know that the majority of the people like high salaries but that does not matter. First of all I should like the Government to turn their eyes towards the hungry millions and then ascertain what should be the cost of administration. Government ought to adopt a bold policy. They should stand for the poor people. It may be that the interest of the handful of people would be sacrificed on the altar of the interest of millions. It is a question of curtailment of expenditure and before I conclude I cannot check my temptation to read only a portion from the Note of Dissent submitted by you to the Swan Committee Report. With that I will finish.

Sir, one word I would like to add. As I have already stated the interest of the millions must be safeguarded against the interest of

the handful. At page 174 you said as a member of the Swan Committee "Bengal has, in my opinion, been sufficiently mulcted in the interest of Calcutta, and it is time that the citizens of Calcutta should be asked to accept the responsibility of meeting at least a part of these charges. Is there any justification for maintaining at the cost of rural Bengal the beautiful Maidan roads for evening drives of the citizens of Calcutta? Why should the outdoor sections of the Calcutta hospitals be at the cost of Bengal revenues? Instances can be multiplied where Bengal has to pay for the amenities of Calcutta life and for the needs of Calcutta. Rural Bengal has to pay over 60 lakhs of rupees, if I mistake not, to meet the cost of chaukidars (rural police), yet provincial revenues have to bear the entire charges of the Calcutta Police costing about 45 lakhs of rupees."

I have gone through the White Paper but I have never found that the Government has touched even that very important portion of the note. I have gone through the Paper, I have searched the White Paper but nowhere have I found any treatment of that note. I make these remarks, Sir, to draw the attention of Government to this point so that they may correct themselves and go on in the right way. With these words I conclude my remarks.

Maulvi TAMIZUDDIN KHAN: Mr. Speaker, Sir, My hon'ble friends of the opposition seem to be surprised at the attitude of Maulvi Abdul Latif Biswas. (Cries of 'no no: we are immensely pleased), who is a staunch supporter of the present Government. But I think, Sir, these are days of surprises (Hear, hear), and it is not my friend Mr. Biswas alone who has supplied the surprise of the year. If we look at the performance of our own Ministers what do we find? We find probably no lesser surprises in their doings. At the last session of the Assembly this very same question of effecting economy was discussed threadbare, and if I remember aright it was then given out on behalf of Government that a Committee would be formed who would sit round, a table and explore all avenues of economy. That, Sir, was, if I remember aright, a promise given on the floor of the House (Hear, hear), and barely six months have elapsed when we find the Hon'ble the Finance Minister coming forward with a statement that these are not days when questions of economy have to be seriously thought of at all, because these are in his opinion days of prosperity, and when we are in prosperity, why should we think of economy? Sir, are the members of the Cabinet working at cross purposes? When one Minister gives a solemn promise does he not consult his other colleagues, and when the Finance Minister says that there is no reason to seek for economy at present I think he has given not his own individual opinion but the opinion of the whole Cabinet. Then if that is so where do we stand? It is not only Mr. Biswas who has sprung a surprise but our Government also have been meeting us with surpr[illegible]

almost every day. (Dr. Nalinaksha Sanyal: Worst surprises!) The Hon'ble Minister says, as I have already stated, that there is no reason, to be anxious for economy in these days of prosperity. Sir, does he mean to say that there is no need for more money? Have we got free and compulsory primary education in this province? (Cries of 'no, no'). Then, what about the starving millions? Have our Government been able to do anything to raise the standard of living of these poor people? What about industries? Nothing practically has been done about the development of industries for want of funds. Wherever we cast our eyes, we find the old old complaint that nothing can be done, on account of paucity of funds. Does it then lie in the mouth of anybody in the face of these hard facts that there is no need of money, there is no need for economy? It is really surprising that the Finance Minister came forward with a statement like that. Then again what about medical relief? The Finance Minister has said that the idea of Government is the establishment of one dispensary in each union board area—but, Sir, have we by now got even one dispensary in seven union boards in Bengal? (Hear, hear), Certainly not. Still we have to swallow the statement of the Finance Minister that there is no ground for economy. My friend the mover of the motion has dealt with the various possible sources of economy and many others of my friends have also dealt with the matter I do not like therefore to go into the same field over again, but certainly there are some items which may be referred to. The question of salary reduction has already been discussed. Is it not time that we should think of trying to discover whether the salaries of officers who draw pays above a certain amount can be reduced? I think a very big amount can be saved if we go into this matter. Now one question has not been touched.

I would like to remind the House of the duties performed by our Circle Officers. They are no doubt useful officers. Our District Magistrates see through their eyes, and hear with their ears, and without them they will probably be helpless. But what are the indispensable duties performed by the Circle Officers? I think, Sir, the most important duty they do is to audit the accounts of the Union Boards. Sir, do we require highly paid Circle Officers for doing duties like that? Cannot these duties be done by auditors of say Rs. 50 or Rs. 60 worth? I think if the Government is really serious the number of Circle Officers can be reduced, but what do we find? Instead of thinking about the reduction of the number of officers, instead of thinking about reducing their salaries, instead of thinking about a general reduction of the number of officers in all departments, the Hon'ble the Finance Minister has come forward with proposals for increasing their numbers enormously and my hon'ble friend the mover of the motion has pointed out that Government proposed to increase the expenses on this head alone by several lakhs. Are those

proposals justified? Probably the justification of the Finance Minister is that it will lead to a solution of the unemployment problem. Sir, is this the way that the unemployment problem has to be tackled? Create new offices and employ as many men as you can! But that, Sir, is a grotesque way of solving the baffling problem of unemployment in Bengal. If that problem has really to be tackled, we have to discover avenues, new avenues, new sources, where people can be employed. This policy of Government is a suicidal policy. How many men can be given employment by the Finance Minister by increasing the expenses under this head? It is impossible to touch even the fringe of that problem in a way like this. I therefore think that Government has approached this question of solving the unemployment problem altogether from a wrong angle.

Then, Sir, much has already been said about the posts of Divisional Commissioners. We do not know as yet why our Government should not be serious about the total abolition of the posts of Divisional Commissioners. We may hear of difficulties in the way. Sir will there be difficulties in the way, if our Government has to do something serious, and if those difficulties are not solved, but only shelved, I do not know where we are.

There is another question that has been agitating the public mind for some time. Our officers can be compelled to retire after 25 years of service: that also certainly will make for a good saving for the Government. In fact it is needless for me to enumerate all the sources wherefrom economy can be effected. It is not possible for any individual member to discuss those sources or to deal with those sources in the course of a speech. If the Government is really serious I think it is not yet too late to appoint the promised Committee to go into the matter thoroughly, and I think, Sir, that if money can be saved by the appointment of such a Committee certainly there will be many urgent matters upon which that money can be fruitfully spent.

Mr. SHAH ABDUR RAUF: Mr. Speaker, Sir, I cannot see eye to eye with my friends Messrs. Khan and Biswas, and I am sorry at the same time I cannot support the cut motion of Mr. Banarji. I cannot support the policy of the Opposition to belittle the present Ministry. This Ministry came to office only about a year ago and we have been scrutinisingly watching its actions, I am sure that members of the Coalition Group as well as of the other groups who really try to see things in their proper perspective will admit that the Ministry have been doing its level best to ameliorate the condition of the masses. The Bengal Tenancy Bill of which a landlord of the landlords Sir Bijoy Prasad Singh Roy, was the originator will do, if it is passed into law, an immense good to the peasantry. During the last Budget discussion we talked about retrenchment here and there in various departments and I think on the general opinion of the

House as then expressed, the Cabinet is trying its level best to see what retrenchment can possibly be done. I am glad to know from the Finance Minister that Mr. Blandy has been appointed a Special Officer to effect retrenchment in accordance with the Report of the Swan Committee. Let us be patient. We must not do things in a hurry. We all know that Rome was not built in a day, and you cannot expect the Cabinet to bring revolutionary changes within the course of a year. The time will come when this Cabinet, if given ample opportunity, will do wonderful things for the good of Bengal. We always boast of Congress ministries and Congress provinces. May I ask, what retrenchment they have done?

Dr. NALINAKSHA SANYAL: Substantial.

The Hon'ble Mr. H. S. SUHRAWARDY: Nothing.

Mr. SHAH ABDUR RAUF: But I want facts and figures and a mere statement like that will not do. You may have broad headlines in newspapers like the "Amrita Bazar Patrika." We do not want that, we want to know things as they really are. Now, Sir, about the suggestions for retrenchments that have been made, are we not ourselves responsible for the salaries of the Ministers? We voted for them, it was not the Ministers who voted for their own salaries. As regards the members' salary, may I ask those who think it is excessive, to kindly give it away for the cause of the poor and distribute it among the villagers? You know very well that under the present constitution it is not possible to reduce the salary of the I.C.S. officers. You can only ask the Cabinet to reduce the salaries of those officers who will be appointed hereafter and special scales of salary may be fixed for them. The Cabinet is anxious to see what economy is possible in that direction. As regards the Divisional Commissioners, that is an old question, not only in this House but also in the old Council. It has been said, it will bring about a saving of four lakhs and odd. But may I ask, what will be done with the present officers? They will have to be given their salaries till the end of their services. So you will not save any money thereby. But something may be done. The present Cabinet is surely examining this question carefully, and if possible, these posts of Divisional Commissioners will be done away with. As regards the district administration, it is said there will be a saving of 70 lakhs and odd. I hope a millenium will come when those gentlemen who have tabled this motion and supported it come into office, and then all the peasantry of Bengal instead of having *dal bhat* only have *dud bhat* and *palau* and *korma*. I am sure, those gentlemen who have supported this motion, if they come into office, will find how difficult it is to run the administration if you speak of economy in this way. Then, Sir, the hill exodus is a pet

question, not only with this Assembly but also with the old Council. When I was a member of the old Council in 1921 this was the identical topic there. The same topic has been going on since then and will go on for ever. But the hill exodus is, of course, a small matter, and if it is the desire of the House that there should not be any hill exodus, I hope the Cabinet will accept it.

Then, Sir, a word may be said about the Circle Officers. I do appreciate what my friend Mr. Khan has said, but that does not mean that the present Cabinet has done nothing in the way of retrenchment. As I have already said, you cannot expect a revolutionary change in the administration in a day, you have to wait and wait patiently, and then you will see that the Cabinet will do its level best not only to effect economy in administration but also to bring as much relief to the people as possible. With these words, I most vehemently oppose the cut motion.

Mr. W. C. PATTON: The question of the hill exodus is no new question. It was raised from time to time in the old Council. Its abolition was occasionally urged in the Press.

Then as now, one of the main arguments for its continuance was the admitted fact that the migration of Ministers and the heads of their departments with skeleton staff to the hills for short periods during the hot weather enabled them to work with greater efficiency than was possible in the continued heat of the plains. I will not stress this point at the moment. I may revert to it later.

But with the introduction of popular government in Bengal, another great reason becomes apparent for the continuance of the exodus. In Calcutta, in session and out of session, we now find that Ministers have to devote more time than before to representations in person from their friends and their friends' friends, and from their relatives. In many cases it would be highly impolitic for Ministers to refuse such interviews and it is an established fact that under the new Constitution in Bengal, considerably more time must be devoted by Ministers to such interviews than before, with a consequent loss of that essential continuous contact with the heads of their departments, a contact which was essential in the past on the score of efficient administration, and which is the more essential to-day when we have a very real popular demand for big schemes of social reform, educational facilities, industrial development, and for the improvement of public health.

It is in the provision of short periods of seclusion during which such schemes can be worked out in practical detail that the hill exodus will be of the utmost use in the future. It was essential before on the grounds of maintenance of health and efficiency of the personnel of Ministers and Departments. It is the more essential to-day because of the very magnitude of the changes we expect from Ministers to whatever party they may in future belong.

Now, there is another point in connection with the exodus which I think has never been properly ventilated, and that is its effect upon the people of this part of the province of Bengal. It must be realized that Darjeeling was established initially as the summer seat of Government. That was the reason for its coming into being at all. It is not for any other reason. It is not a junction of trade routes. It has no industry excepting tea, and as a tea town it is smaller than Kurseong. After Government originally decided upon Darjeeling as a sanitorium and summer seat of Government, the town gradually grew, and a municipality was established, which has endeavoured to maintain a standard in that town commensurate with the fact that it is the summer seat of the Government. Improvements have been undertaken which normally might never have been undertaken with the result that taxation in that town has risen to such a stage that it is the highest taxed municipality in Bengal to-day. The taxation there is approximately Rs. 14 per head per annum, a figure which is two, three, or four times of what it is in some of the other municipalities in Bengal. During past years, the town has had several set-backs. First came the Lee Commissions to be followed by the cheap passages to England both of which reduced the incomes of the peoples of Darjeeling very considerably. Then we had the earthquake, and more recently we have had the restrictions on Hindu youths which I hope will shortly be taken off provided it is found safe to do so. On the top of that if now the Darjeeling hill exodus is stopped, the people of that town will be faced with misery and ruin. Taking away the Hindu restriction will not by any means compensate for another blow to the people of that district. It is no wonder that now they will cry "we have had enough". Last April there was a rumour that Government was not going to come to Darjeeling, and there was a fear throughout the whole of that district. Representations were made to the Cabinet when they did come up, and I might say that until the Government did come up the town was at a stand-still. There was no business done, and there was practically no employment. A number of meetings were held as a result. The first to be held was that in May by the Mahommedans through the Anjuman-Islamia who made representations to the Ministers and Prime Minister that the hill exodus must continue. On the 10th June 1937 the Darjeeling Municipality passed a unanimous resolution to the effect that the peoples of Darjeeling would be faced with ruin if the exodus were stopped. It was proposed by a European, seconded by a Mahomedan and supported by a Bengali Hindu. On the same night the Bengali Hindus of Darjeeling gave a theatrical entertainment to the Ministers at which they presented a memorial of which the following is an extract:—

"The house and landed properties acquired by the Bengalees here are not inconsiderable, and they have a sort of vested interest which in fairness to them cannot and should not be lost sight of.

"We are alarmed at the rumour that a derogatory movement has been or is about to be set on foot to prevent Government from coming to Darjeeling altogether. We hope that the rumour has no foundation, as otherwise it would spell disaster on the already dwindling Darjeeling and its people, most of whom have to depend on a migratory population for their sustenance."

On the 27th June, the Hillmen's Association called a meeting of all communities at the Town Hall in which similar resolutions were passed, and at which members of all communities were present. I will read only one short sentence from their resolution—

"The Hillmens' Association agreed to the extension of the Reforms to Darjeeling to make it a partially excluded area on the clear understanding that the position of Darjeeling as the Summer Capital of Bengal would be retained when the new Constitution came into being, and this point was strongly pressed by a deputation of the Hillmens' Association, which waited on His Excellency, Sir Stanley Jackson, the then Governor of Bengal. It would be nothing short of a breach of faith on the part of Government if by their action Darjeeling loses its important position."

I have read these extracts in order to show that this is not a demand coming from any one particular community in Darjeeling. As a matter of fact it may be information to those who raise this point that the individual highest tax paying community in Darjeeling is the Bengali Hindu community.

Now, there is another reason why Darjeeling should not be destroyed by the stoppage of the hill exodus. I might say that it is not just a matter of what money is spent by Government to take Government up there. Government sets the fashion, and because Government comes others come. The amount of money spent by others through the exodus is many times that spent by Government. As it is, by the cutting down of the period of duration of Government in Darjeeling, that town has suffered very severely indeed.

Bengal has one main hill station and that is Darjeeling, and it should be our pride to see that everything that we do in connection with Darjeeling should be in the direction of building that hill station up. I am sorry to see that the tendency among many people of Bengal is to patronize rival hill stations. But I think their charity should begin at home. We should attempt to do every thing possible to make our hill station advance.

Now, Mr. Speaker, to summarize, we must naturally concentrate on the development of our own hill station. The stoppage of this hill exodus will definitely result in misery and start ruin to the most of the people in Darjeeling. Some of those who have some reserves may possibly weather the storm for a number of years till something could

be found for them. But the poor people of that town will be most severely hit, and I have every objection to the livelihood of a section of the people of Bengal being used as a pawn in an attack on the ministry.

Now, our Ministers have very big schemes in hand, and if we want them to get ahead with those schemes as quickly as possible, we should not do anything which would cut down the efficiency of the staff and their own efficiency in developing these schemes.

Dr. NALINAKSHA SANYAL: The question may now be put, Sir.

Mr. SPEAKER: Just after his speech.

Dr. NALINAKSHA SANYAL: Sir, the question can be put at any stage.

Mr. SPEAKER: I cannot accept it, because, he will finish it in a minute.

Mr. W. C. PATTON: To my mind this cut motion has been moved in this House and partly supported on the ground that the money thus saved can be utilized for nation-building work. I suggest, Sir, that the Darjeeling Hill Exodus is a nation-building work, and if we find any other district in Bengal where expenditure of a relatively small sum of money would result in the expenditure of sums out of all proportion to Government. Expenditures to the betterment and prosperity of the people, I must say that we should support such a proposal as a nation-building work.

The Hon'ble Mr. NALINI RANJAN SARKER: Sir, the hon'ble the mover of this motion has, I think, made twice or thrice, a reference to oil. I am not surprised that he should do so. Because long contact with the affairs of an institution has no doubt impressed him as to the merits of the particular system of lubrication that facilitate business in that ancient machinery. No wonder, Sir, that in discussing the Budget, the word "oil" should come uppermost in his mind. The rest of the speech I should describe as froth and foam, because he had tried to dismiss my remarks on retrenchment by mere choice phrases, and not by arguments based on facts. He has not been able to controvert any of the propositions which I mentioned in my remarks under that section in my Budget speech. Sir, he has said that the expenditure on "General Administration" has been increased in comparison with 1936-37. That is so. In 1936-37 the actual expenditure was one crore and 34 lakhs, and Mr. Pramatha Nath Banerji rightly says seven lakhs

must go out of this for election expenses, which is not recurring. For 1938-39 we have provided for one crore and 51 lakhs, an increase of 24 lakhs. Of the increases one is due to the fact that expenditure in England, which used to be shown separately up to 1936-37, is now shown under this head. That represents seven lakhs of rupees, and some increase in this head has also occurred due to changes in the method of accounting. Expenditure of Secretariat staff and the departments of Irrigation and Communication, which used to be shown under the "Irrigation and Supply Works Budget", are now shown under this head. That represents another two lakhs. The increased expenditure is also due to legislature, increased expenditure for the Legislature involving 12 lakhs of rupees, while increased expenditure on account of the Public Service Commission is responsible for one and a half lakhs, increased expenditure on account of the reorganization of the district offices represents over two lakhs of rupees. Regarding the details of this item of expenditure my honourable friend, the Home Minister, will explain the position.

Dr. NALINAKSHA SANYAL: Is he also speaking? I supposed the Hon'ble Finance Minister was speaking on behalf of Government.

The Hon'ble Mr. NALINI RANJAN SARKER: The mover has said that a lump sum provision was made for this, without considering the details of any scheme, but that is not correct. We appointed a special officer and he has submitted a voluminous report. After going through it district by district—

Dr. NALINAKSHA SANYAL: Still in the secret conclave of Government!

The Hon'ble Mr. NALINI RANJAN SARKER: We have come to this figure. The existing staff—it is not the Commissioners' office—it is only the District Magistrate's and the subdivisional offices, the existing clerical staff is 2,767 and the District Magistrates of all districts have been demanding additional clerks to the tune of 841 for the last five or six years,—

Dr. NALINAKSHA SANYAL: Is it because of increased inefficiency?

Mr. SPEAKER: Dr. Sanyal, I am afraid I must request you not to disturb the Hon'ble Minister.

Dr. NALINAKSHA SANYAL: For eliciting information, Sir.

The Hon'ble Mr. NALINI RANJAN SARKER: But we have given them only 386. The work has so much increased during the last 30 years that we have considered it our duty to offer them this relief; otherwise work would have come to a standstill.

Then Sir, from the Congress Benches Mr. Haripada Chatterjee delivered a speech which could hardly be described as anything more than mere froth and foam and he has used expressions like "imperialism,"——

Dr. NALINAKSHA SANYAL: Gone home.

The Hon'ble Mr. NALINI RANJAN SARKER: "Imperialism," "exploitation," "bled white," "subservient, etc." But, Sir, I know if you had only placed a ban on the use of such words, some sections of the Congress would have to be mute (hear, hear). They would bring in even for a cut motion for a retrenchment their pet expressions like "imperialism," "bled white," etc. Mr. Haripada Chatterjee suggested that if he was given the responsibility, within a year or even overnight he would have reduced the expenditure of the General Administration by 50 per cent.

Dr. NALINAKSHA SANYAL: Try it and see.

The Hon'ble Mr. NALINI RANJAN SARKER: I cannot pay serious attention to this sort of remarks.

Dr. NALINAKSHA SANYAL: Because you have failed.

The Hon'ble Mr. NALINI RANJAN SARKER: Dr. Nalinaksha Sanyal has interrupted me. I think Dr. Nalinaksha Sanyal has more consideration for his own Party Ministers of other provinces than for a minister here. And if I get time from you, Sir, I shall demonstrate that in this matter of "General Administration" we have not done less than what the Hon'ble Ministers have done in Congress Provinces. Our misfortune is that our predecessors have done so much for retrenchment that we cannot get any credit for retrenchment of superfluous expenditure, while in other provinces the previous Governments had not tackled this matter, so that their present Governments can get the opportunity of lopping off the superfluous expenditure amidst applause from their supporters. (Laughter from the Opposition Benches).

The Hon'ble Mr. H. S. SUHRAWARDY: That is the laughter of ignorance.

The Hon'ble Mr. NALINI RANJAN SARKER: You have heard, Sir, that the Madras Ministry have introduced a ruthless cut in the grades of salaries, but, Sir, they have not touched a pice even of the emoluments of existing officers. They have only reduced the salary of the future entrants. This Government,—rather the previous Government did this as early as 1934. And the Government made such drastic reductions that the starting salaries in Bengal are even now lower than what has been achieved in Madras by drastic economy in certain grades, *e.g.*, reductions in starting salary by 25 per cent. 20 per cent or 15 per cent. Now, Sir, if I had time, I could quote from the Budget speeches of all the Congress Finanace Ministers to show that so far as retrenchment is concerned, they have not been able to do much, while some of them have even admitted that it is not possible to do anything more. And so far as salary cuts are concerned, everyone except the Madras Minister has said that schemes are under consideration. Sir, as a matter of fact, the Government here have already given effect to such reductions. The Premier of Madras in his Budget speech said "that as a result of the new scales of salaries they would be able to save about 41 thousand a year just now but the ultimate savings would be 16 lakhs." But the revision of salary which Government adopted here in 1934 will result in an ultimate saving of 50 lakhs. So in that respect also our savings are much larger than theirs. Sir, these facts will bear me out when I say that for even for Congress Ministers, it was not possible to effect salary cuts to the extent that is desired by hon'ble members. I am quoting, Sir, from the speech of the Hon'ble the Finance Minister of Bombay "the scales which we now desire to apply are under scrutiny, and will be announced in a very short time but these new scales can only apply to a limited class of Government servants at the lower end but we cannot reduce the salaries drawn at the higher end, that is to say, those who are recruited by the Secretary of State; theirs cannot be reduced without the consent of that authority and in these limitations the House will realise that there are no great possibilities of any substantive relief to our revenues in the near future by the reduction of the scales of salaries"——

Dr. NALINAKSHA SANYAL: That is because of the legal difficulty.

The Hon'ble Mr. NALINI RANJAN SARKER: And in Bombay where the salaries are the highest I shall quote also from his speech the extent of retrenchment which the Bombay Government actually propose. The principal reduction in expenditure in the next year's budget consists of savings in allowance by two lakhs, in Contingency three lakhs and under Grant to Local Bodies ten lakhs. I think, Sir, if we propose that we shall cut down the grants-in-aid to the Local

Bodies to the extent of even one lakh, this House will never accept such a recommendation. I do not say, Sir, that they have not done what they could do. Congress Ministers are trying their utmost in every Congress Province for effecting retrenchment, not, however, in the manner of the Congress group here (laughter) who always cry for the noon, because they have no responsibility, but where the Congress has got the responsibility they have not been able to do very much better than what we have done here.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble the Finance Minister moonstruck?

The Hon'ble Mr. NALINI RANJAN SARKER: Then, Sir, my friend Mr. Tamizuddin Khan said that speeches on this item have given many surprises. He said that not only Mr. Abdul Latif Biswas has surprised us, but the Ministers also have sprung surprises. But he himself has sprung on us a greater surprise to-day. He has given me a bigger surprise to-day because he in criticising me stated that I had said there was no necessity for retrenchment. Sir, I never said so. If my friend will kindly read my Budget speech particularly the portion relating to Retrenchment, he will find that I never said that there was no necessity for retrenchment. I only pointed out the difficulties in the way of retrenchment and that certain things had to be remembered in a programme for retrenchment. I could show from the Budget speeches of all provincial Finance Ministers, irrespective of whether they are Congress Ministers, or not, that they all admit that there is no prospect of any large savings through retrenchment.

Sir, when Mr. Abdul Latif Biswas and Mr. Tamizuddin Khan were speaking, my congress friends were cheering them with cries of "Hear, hear". But when Mr. Abdul Latif Biswas put forward his suggestion for compulsory retirement after 25 years' service, there were no cheers (laughter). Sir, I am grateful to them for this, for I am also not in favour of compulsory retirement after 25 years' service.

Then, Sir, as to the remarks of Mr. Abdul Latif Biswas the less said here the better, I would not like to embarrass him by a reply before this House, as he belongs to a party supporting the Government

Maulvi ABDUL LATIF BISWAS: Sir, I only drew the attention of Government.

Dr. NALINAKSHA SANYAL: What about the Conference for retrenchment?

The Hon'ble Mr. NALINI RANJAN SARKER: Sir, on the last occasion, I admit, I gave an assurance to this House that there would

be a conference to explore all avenues of retrenchment but I have not yet been able to arrange one. A Whitepaper has been prepared giving all details of the retrenchment proposals made by the Swan Committee and another giving the rates of salaries in different provinces, different institutions, Corporations, Improvement Trusts, Port Trusts, Railways, etc., is in course of preparation and will be distributed to members of this House. After this, I propose to call a conference at which all these proposals may be considered.

Mr. JOGESH CHANDRA GUPTA: When?

The Hon'ble Mr. NALINI RANJAN SARKER: As early as I can. Sir, then I want to remove one misapprehension about the Darjeeling exodus, viz., that if Ministers go to Darjeeling, they get their expenses from Government. Nothing of the kind, Sir. In regard to the Darjeeling exodus, the Ministers have really to suffer because beyond the actual travelling allowances they do not get anything more. They have to engage their houses and maintain their own establishment there in addition to the establishment that they have got in Calcutta. It is only for facility for work that the Government move to Darjeeling, and the expenses on that account have been reduced to the utmost minimum. Each trip costs Government only about Rs 46,000, and if this should be the desire of the members of this House, I think we may consider whether the second trip cannot be dispensed with

With these few remarks, Sir, I submit that so far as the question of retrenchment is concerned the Government have been giving their best attention to it. But as I said in my Budget speech, it is very difficult for a democratic Government to retrench expenditure overnight. Sir, we are working a system which has been prevailing in this country for the last 100 years and it is not possible to do away with that system all at once and to effect retrenchment in a trice, even if it were possible to do anything appreciable in a short time.

The Hon'ble Khwaja Sir NAZIMUDDIN: Mr. Speaker, Sir, I shall try to be very brief—

Dr. NALINAKSHA SANYAL : On a point of order, Sir. The Hon'ble the Finance Minister has given his reply. Will you allow two Hon'ble Ministers to speak?

Mr. SPEAKER: Dr. Sanyal, I think you can leave the matter to me. As to how a debate is to be conducted and what importance is to be given to a particular debate are matters which, I think, ought to be left to my discretion. Having regard to the fact that the Congress Party has initiated this debate and given it so much

importance I do consider the debate to be of sufficient importance particularly in view of the attitude taken by the different groups in the House. That is why I allowed two Ministers to speak. In future you can certainly leave it to me and I will do what I feel just and proper in the interest of sound procedure.

Dr. NALINAKSHA SANYAL: On a point of personal explanation, Sir,..... ... (CRIES OF "No, no" from the Coalition Benches).

Mr. SPEAKER: I think that as Dr. Sanyal has risen on a question of personal explanation he is entitled to a hearing from this House.

Dr. NALINAKSHA SANYAL: I submit to your ruling, Sir. I only wanted to know whether our privilege as members of the Opposition would entitle us to speak by way of reply if two Ministers wanted to speak. That was my question, Sir. Will you kindly give us a chance to speak on the motions that members of the Opposition are moving by way of reply.

The Hon'ble Mr. NALINI RANJAN SARKER: After the mover moved his motion I was attacked in every quarter and that is why I wanted to speak to explain the position as I felt that I had got a right of reply.

Mr. SPEAKER: I am quite prepared to say this much that if I consider a debate to be of sufficient importance which necessitates a reply from members of the Opposition, whether it is in the Standing Rules or not I am prepared, under my inherent right of conducting the proceedings and seeing that a good judgment is arrived at, to give a chance of speaking not only to the members of the Opposition but to members of any party in this House. (CRIES OF "Hear, hear").

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. Subject to your ruling I submit that Government have got the right of the final speech on all questions according to the existing rules.

Mr. SPEAKER: I am bound by the present rules to say that if there is a right of reply by a mover, Government are certainly entitled to further reply but only on the points that have been referred to in the reply, and nothing more.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I shall not touch any of the points which have already been touched by the Hon'ble Finance Minister. In the course of his speech the Hon'ble Finance Minister has said that the question of increase in the number of B.C.S. and B.J.C.S. officers for which a sum of Rs. 1,00,000 has

been provided in the budget will be explained by me and also the question of the increased staff for the Commissioners' offices. Sir, the Finance Minister already explained the circumstances and I do not want to go into further details, but I do want to state that if members of their House want Government to take up constructive work, e.g., rural uplift, village welfare work, for improving the economic condition of the masses and for increasing the purchasing power of the raiyats, then it is absolutely essential that there should be an adequate staff not only to supervise the schemes initiated by Government but also to get together the data, and also the facts and figures on which Government can base their schemes. Now, Sir, I will ask members of this House who come from the rural areas to consider the enormous amount of work that has been thrown upon the B.C.S. officers and particularly on the Sub-Deputy Collectors during the last two or three years. I see a member of this House shake his head I am not surprised. I will now enumerate some of the works which they have been called upon to do for the last two or three years which they had not to do before. Let us take for example the question of propaganda work for the voluntary restriction of jute. This is a work which cannot be done unless the Sub-Deputy Collectors give a good deal of their personal time and attention in seeing that the persons who have been appointed for propaganda work are doing the work properly. Not only that, there the main body of people who create public opinion get together important men of the locality to take up their propaganda work. Then there is—

Rai HARENDRA NATH CHOUDHURI: On a point of order, Sir. You did not allow Mr. Abdul Latif Biswas, when he was speaking on excise matter, to raise any question of retrenchment; but now the Hon'ble Home Minister is referring to jute restriction propaganda that comes under "Agriculture".

Mr. SPEAKER: Mr. Rai Choudhuri, in reply, I may cite an appropriate metaphor but I refrain. You have heard only one part and not the other. He is really speaking about the amount of extra work which has now been put on the officers under the "General Administration" in connection with the work of other departments and I think when he is asked to explain that point, the Hon'ble Minister is perfectly entitled to do that.

The Hon'ble Khwaja Sir NAZIMUDDIN: Now, Sir, the second duty which has been entrusted to them is that of establishment and supervision of the Debt Settlement Boards in the rural areas of Bengal. I remember when this subject was mentioned, one of the hon'ble members of this House attempted to contradict and said that this work was done by the special officers of the Debt Settlement Boards. This, I am

afraid, is not correct, because the Circle Officers have got to supervise a certain percentage of the Debt Settlement Boards. They are assisted by the special officers of the Debt Settlement Boards, but a portion of the work is directly entrusted to the Circle Officers. On top of that, they are the persons chiefly who recommend about the formation of the new boards. I am surprised that an experienced member of the legislature, like my friend Mr. Tamizuddin Khan, should be the person to get up and say that the Circle Officer's primary and only duty is that of auditing the work of the Union Boards. Considering the number of requests I get for Circle Officers to be sent to various subdivisions wherever these posts remain unfilled, considering the demands of the members of this House for suitable Circle Officers who will be of assistance to them in order to take up the rural welfare work in rural areas, village uplift work, village reconstruction work, etc., I am surprised that any member of this House should suggest that these officers have no important work to perform——

Dr. NALINAKSHA SANYAL: They will be in the towns.

The Hon'ble Khwaja Sir NAZIMUDDIN: I will not be drawn into replying to ignorant remarks on this subject. I am speaking about subjects which I know definitely and I won't stand contradiction. The important work of the debt settlement is being supervised and co-ordinated by these Sub-Deputy Collectors.

Then there is the question of rural reconstruction work which is being taken up in almost all the districts of Bengal in certain degrees and this idea of getting the people to come forward voluntarily for rural reconstruction work, depends to a large extent on the personality of the Circle Officers and the local officers like Subdivisional Officers and District Magistrates.

Dr. NALINAKSHA SANYAL: For oppression.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am surprised, Sir, that this sort of remarks should come from a gentleman who never visits rural areas or perhaps does so once a year. But the important work of ameliorating the condition of the people of rural areas depends very largely on these Circle Officers. If you want these extra activities which did not exist 3 or 4 years ago—if you want these extra activities to be taken up seriously and something done out of the ordinary—something material which will change the condition of rural Bengal, then it is absolutely necessary that this House should be prepared to pay for the officers and the right type of men who will take up this work. It is not possible to suggest that you can get all this work done without these men to co-ordinate the activities of the various local authorities. Therefore, Sir, it is absolutely essential that additional staff should be provided.

Now, Sir, I would like to tell the House why it is that this additional staff is necessary and why we have to provide for these extra men. During the last 4 of 5 years, Government have been deliberately withholding recruitment of officers in the Bengal Civil Service as well as in the Bengal Junior Civil Service. Speaking from memory, the sanctioned cadre for the Bengal Civil Service was 328 but actually we have now got 275 officers in that cadre. Similarly in the case of Subdeputy Collectors, the sanctioned cadre was 450 but we have actually got only 390 officers. So it will be seen that in the Bengal Junior Civil Service, we are 60 short and in the case of the Bengal Civil Service, we are about 47 short, i.e., in all we are about 107 short on the staff according to the sanctioned cadres which was considered necessary to cope with the work in the mufassil. This was a measure of retrenchment at a time when money had to be saved at all costs. What happened was that we have been hit in two ways: firstly, there has been a scarcity of officers owing to stoppage of recruitment, and secondly, the work of the existing officers has been doubled or trebled as I have just now explained. The result is that there is a cry from every subdivision and district that they are hopelessly short of officers and the locall officers are not in a position to do justice to the work that has been entrusted to them.

Next, let us take the case of Debt Settlement Boards. Full attention is not being paid and the work of the Board cannot be properly supervised owing to shortage of officers. In Mymensingh, for example, there is a shortage of as many as 7 officers. Now I would ask, if there is a shortage of 7 officers in a place where the number of Boards is the largest, viz., 5, how is it possible for the work to be carried on properly? Similarly, the other day when I went to the Serampore subdivision, the Subdivisional Officer told me that he had come to see me particularly for one thing, that is, that there was only one Deputy Magistrate, i.e., the Second Officer, and he was short of two officers and unless he got more officers, it was impossible for him to get through his work. And similarly in Munshiganj and other districts the position is exactly the same. There is such a shortage of officers that we cannot get the work done and what is more it is not the routine work, it is not the auditing work that is suffering, it is the work of primary importance, namely, the economic reconstruction of rural Bengal, the removal of water-hyacinth that is suffering owing to shortage of officers. If you want this Government to do something out of the ordinary line, if you want this Government to improve the rural condition and improve the condition of the people of Bengal you must give them adequate staff with which the work can be supervised and carried out. That is why it is absolutely essential that these Sub-Deputy Collectors should be appointed.

I will conclude with only one thing. Unfortunately it has been repeated three times. I must say I was surprised at the attitude taken up by Mr. Tamizuddin Khan. I remember in the old Council for three or four successive years, when I was Minister in charge of Education, he criticised Government for not introducing primary education with cess and to-day of all members Mr. Tamizuddin Khan who has not in his party programme suggested that there should be primary education without cess says that primary education should now be enforced without cess.

Mr. TAMIZUDDIN KHAN: On a point of personal explanation, Sir. I am very sorry I have been so hopelessly misunderstood. I never uttered any words to say that the primary education should be introduced without cess. I am very sorry that a man like Sir Nazimuddin has misunderstood me.

Mr. SPEAKER: I do not want to create a precedent. But I have been requested by the opposition to give them an opportunity to say a few words in reply and I am told that Leader of the House will require three minutes. So I will give you five and three minutes.

Mr. PRAMATHA NATH BANERJEE: I am very deeply grateful to you for the great kindness which you have shown me by giving me five minutes' time. The Hon'ble Finance Minister in the course of his speech referred to my foam and froth. In this debate I gave him sufficient figures to illustrate my proposition that the present Government or its predecessors have not carried out to any appreciable extent the recommendations of the Swan Committee. The Swan Committee recommended that a sum of Rs. 18 lakhs might easily be taken off from the head "General Administration". The figures in the White Paper, if added up, will show that the Government have retrenched only to the extent of 1 lakh and eleven thousand rupees. I hope even the arithmetic of the Hon'ble Finance Minister realises this difference between 18 lakhs and 1 lakh 11 thousand. The Hon'ble the Finance Minister will not deny the absolute and the imperative need of this Province not only to proceed with caution and circumspection but also to proceed in the greatest possible economical manner. This province has during the past due to the inequitous Meston Award suffered loss to the extent of at least 60 crores of rupees. This Province faced the appointment of two expensive Retrenchment Committees but the recommendations of those Committees have not been taken into proper account by the government of the day.

The Hon'ble the Finance Minister is very pleased to refer in a manner which I cannot say a dignified manner to the Ministries, Congress Ministries of other Provinces in India. I must remind you, Sir, that the present rules and standing orders put a ban upon certain expressions being used about the Legislatures elsewhere. In my speech I never made a reference to any Ministry other than the one with which we are concerned.

The Hon'ble the Home Minister has sung pæans of praise about the Circle Officers. In my humble opinion his arguments were proceeding in a vicious circle. Rural reconstruction forsooth when the question of economy is not tackled properly even though two official committees appointed by the Government of Bengal have reported on considerable reduction its expenditure.

I have just one word about one other item under Grant No. 12, namely, Civil Secretariat. You will find that in 1936-37 the year which the Hon'ble the Finance Minister has erased from the Red Book the grant amounted to about Rs 16,61,000. This year he is asking for a grant of Rs. 20,71,000.

There is just one concluding remark and I have finished. I have no reason whatever to be hypercritical of the attitude of the Finance Minister. If he suffers from criticisms which have been offered against his budget, I may very respectfully point out to him that his constitutional position is such in the course of his presentation of the budget and in budget discussions that all criticisms must necessarily be directed against him. There is no question of any personal reflection upon the integrity or the capacity of the Hon'ble Finance Minister.

Last of all the Hon'ble Finance Minister referred to those two very valuable commodities in Bengal with which we are very familiar, namely, the oil and butter. I pass over those observations with the utmost respect that those observations demand from any member of any legislature in the world.

Dr. NALINAKSHA SANYAL: He has left oil and taken butter.

The Hon'ble Mr. NALINI RANJAN SARKER: On a point of personal explanation, Sir. Mr. P. N. Banerjee referred——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Can the Hon'ble Minister make another speech?

Mr. SPEAKER: I have been repeatedly asking you not to interfere. You are not entitled to know that; It is not your business.

When Mr. Sarker has risen to speak you should always understand that the Speaker has given him permission within the limits of law.

Dr. NALINAKSHA SANYAL: May I know what are the limits of law? It is a question of privilege and it is a privilege of every member to know on what motion and for what reason a particular member has risen to speak. It does not matter whether it is a question of personal explanation or not. I submit under the rules the Hon'ble Finance Minister is not entitled to speak any more.

Mr. SPEAKER: Dr. Sanyal, I am afraid you are not devoting so much attention to the matter as I am doing from the Chair or holding the responsible position that I do. I have already said that when I have permitted him, I have done so within the limits of law. But beyond that even on the ground which you have suggested I feel that you are not entitled to raise that point of order, because it is entirely within my right to regulate the proceedings.

The Hon'ble Mr. NALINI RANJAN SARKER: I understood from Mr. P. N. Banerjee's speech that I referred to some of the Congress Ministers of the other Provinces disrespectfully. Nothing of the kind. I have got the highest respect for everyone of them who are my friends. I have my disrespect for congressmen like Mr. Banerjee. I have no disrespect for Mr. Rajagopalachari and Pandit Govind Ballav Pant.

Dr. NALINAKSHA SANYAL: It is a sacrilege. (Cries of withdraw, withdraw).

Mr. SPEAKER: Mr. Sarker, you rose on a point of personal explanation and I gave you permission only because you rose on a point of personal explanation. I think the latter part of your expression is not at all justifiable on the ground of personal explanation.

The Hon'ble Mr. NALINI RANJAN SARKER: I am sorry.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I will not tax the patience of the House beyond a few minutes, and if I rise to say a few words it is because the issue raised by the cut motion is a very serious one, and if it succeeds it will amount to a censure motion on the Ministry. Sir, there has been a vague reference to a certain promise which I was said to have made, but which I am told, I have never honoured. Now, before I answer that, let me point out to the

House that I met the party very late in November last, and there was a suggestion that the members of the Coalition Party would be informally consulted on several items of the Budget. This could not be done because early in December we had to sit and prepare figures for the Budget in order that it may go to the Press and be ready for presentation in this House early in February. But, Sir, what we have done is that we have kept in view the assurance given to those whom we met in November last, and we can assure the House that we are still prepared to sit at a conference with representatives chosen by them and allow them to have a free discussion with the Special Officer and the Finance Minister in order to find out any possible means of retrenchment. Let me point out to this House that if this motion is carried and if this Ministry resigns the only alternative is a Congress Ministry. I am not afraid of that (Interruptions). I must not be interrupted, for that will only prolong the time of the discussion in this House. Sir, I will make one reference to the speech delivered by the Finance Minister of Bombay and that will give the House an idea of the amount of achievement which the Congress Ministeries are capable of performing under the present conditions. The Finance Minister of Bombay says among other things, I am quoting his very words, "let the House remember that we have not got the magic wand so that we may be able to change age-long conditions in a single day." I also echo his words and say "we have not got a magic wand so that we can change age-long conditions and tear up to pieces and abolish posts simply to make a spectacular effect and give some amount of amusement to newspaper writers to the detriment and inefficiency of administration." I will only say one or two words more. Take the case of Circle Officers who does not know the amount of responsible work that they perform? Had it not been for the close supervision which the Circle Officers in rural areas exercise over the Union Boards and Debt Settlement Boards, the whole system,—the whole institution of village self-government would have been full of corruption and mal-practices and even now every month there are cases of misappropriation by Presidents of Union Boards and Co-operative Credit Societies. Take away the Circle Officers and the whole country will be full of corruption and mal-practices, bribery, perjury and forgery, and all that. Cases will be instituted and false evidence will be given. Not only that, Sir, every institution has got to keep up a certain amount of standard. My friend, Mr. Pramatha Nath Banerjee has waxed eloquent over the necessity of retrenchment and economy in expenditure, but, Sir, what about the Calcutta University, what about the Calcutta Corporation? The Bengal Government has this saving grace at least that it give high salaries to competent men. But are not the Congress institutions nurturing incompetent men with high salaries to which they are never entitled? Why are doctors, who are not worth employment on Rs. 100 a month given Rs. 1,000 a month

as health officers in the Calcutta Corporation? I know these things personally, and I challenge contradiction. The Bengal Government at least give high salaries to competent men. (Rai HARENDRA NATH CHAUDHURI: You too, were in the Calcutta Corporation, but what did you do to remedy this state of affairs?) I say to my Congress friends "before you utter any word against this Government look to your own institutions." What economy have you introduced in the Calcutta Corporation? You have only done this—that by increasing the number of officers and by increasing their pay you are running the Corporation at a deficit! Then, again, what economy have you effected in the Calcutta University? The Calcutta University is still dependent on a Government grant of 4, 5 or 6 lakhs of rupees annually. (MR. SYAMAPROSAD MOOKERJEE: Then take away the grant of 20 per cent. of the cost you contribute. (VOICE: At least it is people's money and not Government's money.) No interruptions, please. So you are still dependent on Government grants and you have not economised anything. Therefore it does not lie in your mouth to accuse Government of extravagance, and I will simply say that you throw mud at others who are not at all guilty, just to cover up your own guilt.

Mr. SPEAKER: Order, order. I will now put the motion of Mr. Pramatha Nath Banerjee that the sum of Rs. 1,14,08,000 demanded under General Administration" be reduced by Rs. 100 (failure to effect economy in general administration.)

The motion of Mr. Pramatha Nath Banerjee that the demand of VOICE: At least it is people's money and not Government's money.) No Rs. 1,14,08,000 be reduced by Rs. 100 being then put a division was taken with the following result:—

AYES.

Abdul Hafeez, Khan Bahadur Syed.
Abdul Hakim, Maulvi.
Abdul Majid, Maulvi.
Abdul Wahed, Maulvi.
Abdur Rahman Siddiqi, Mr.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Azimuddin Ahmed, Mr.
Banerjee, Dr. Suresh Chandra.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Manoranjan.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Ranik Lal.
Biswas, Mr. Surendra Nath.
Chakraborty, Mr. Narendra Narayan.
Chakraborty, Mr. Jatindra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Mr. Mahim Chandra.
Das, Mr. Radhanath.
Dasgupta, Mr. Khagendra Nath.
Dasgupta, Dr. J. M.
Dasgupta, Mr. Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deisi, Mr. Narendra.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Hira.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishith Nath.

Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mazumdar, Mr. Birendra Nath.
Moqbul Hossain, Mr.
Mookerjee, Mr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Patl.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Kalinaksha.
Sanyal, Mr. Sasankar Sekhar.
Sen, Babu Nagendra Nath.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Maniendra Bhusan.

NOES.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hakeem, Mr.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar Patwan, Mr. Md.
Abdul Kader, Mr.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Saheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Hossain, Mr. Ahmed.
Abul Quasem, Maulvi.
Aftab Hossain Joardar, Maulvi.
Ahmed Ali, Khan Sahib Maulana Enayetpuri.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur.
Aminullah, Maulvi.
Amir Ali, Md. Mia.
Anderson, Mr. J. P.
Armstrong, Mr. W. L.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Bannerman, Mr. H. C.
Barat Ali, Mr. Md.
Barma, Babu Prombari.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Brasher, Mr. F. G.
Campbell, Sir George.
Crossfield, Mr. L. M.
Das, Mr. Anukul Chandra.
Das, Mr. Kirit Bhusan.
Das, Mr. Monomohan.
Dass, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Ferguson Mr. R. H.
Gomes, Mr. S. A.
Griffiths, Mr. G.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur.
Hasina Murshed, Mrs.
Hatemally Jamadar, Khan Sahib.
Haywood, Mr. Rogers.
Hendry, Mr David.
Hirtzel, Mr. H. A. F.
Idris Ahmed Mia, Maulvi.
Jainuddin Ahmed, Khan Bahadur.
Kabiruddin Khan, Khan Sahib.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Chowdhury, Maulvi.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Millar, Mr. G.
Milne-Robertson, Mr. C. E. L.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Israil, Maulvi.
Muhammad Siddique, Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Mustharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Nandy, the Hon'ble Maharaja Srischandra, of Kasimbazar.
Nasarullah, Nawabzada K.
Nasher Ali, the Hon'ble Mr. Syed.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Petrie, Mr. W. G.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ray Chowdhury, Mr. Birendra Kishore.

Ansar Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Dhananjoy.
Roy, Rai Bahadur Kshirod Chandra.
Sadaruddin Ahmed, Mr.
Saifruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Mr. Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasoon, Mr. R. M.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahabuddin, Mr Khwaja, C.B.E.
Shamsuddin Ahmed Khandkar, Mr.
Singha, Mr. Kshetra Nath.
Sirdar, Mr. Lilla Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tofel Ahmed Choudhury, Maulvi Haji.
Wahid Rahman, Maulvi.
Walker, Mr. J. R.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 62 and Noes 125, the motion was lost.

Adjournment.

The House was then adjourned till 4 p.m. on Thursday, the 10th March, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 10th March, 1938, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) the Chair, eleven Hon'ble Ministers and 218 Members.

STARRED QUESTIONS

(to which oral answers were given)

Jalpaiguri District Board.

***167. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact that two-thirds of the members of the Jalpaiguri District Board are directly or indirectly nominated by the Government?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is in contemplation of Government to extend the principle of election to the constitution of the Jalpaiguri District Board? If so, when?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Syed Nausher Ali: (*a*) The Jalpaiguri District Board is composed of 24 members of whom 12 are elected, 8 by the Sadar Local Board and 4 by the Alipore Duars Local Board and the remaining 12 are appointed by Government.

(*b*) Conditions prevailing in Jalpaiguri are somewhat different from those in the major part of Bengal and it is not at present in the contemplation of Government to further extend the principle of election.

Mr. KHAGENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state if it is a fact that all the members of the Alipore Duars Local Board are appointed by the Government?

The Hon'ble Mr. SYED NAUSHER ALI: Yes.

Mr. KHAGENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state in what respects conditions prevailing in Jalpaiguri are different from those prevailing in the major part of Bengal?

The Hon'ble Mr. SYED NAUSHER ALI: Most of the areas are very backward, forest area, thinly populated areas, tea gardens and so forth.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether it is a fact that in backward districts like Jalpaiguri Government nomination will be 50 per cent?

The Hon'ble Mr. SYED NAUSHER ALI: I am not aware if the same conditions prevail in other parts of Bengal.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that under the Government of India Act, the district of Jalpaiguri has been placed in the same category as any other district in the matter of representation for the legislature?

The Hon'ble Mr. SYED NAUSHER ALI: It may be so.

Dr. NALINAKSHA SANYAL: In view of the Hon'ble Minister's reply, will the Hon'ble Minister be pleased to state if the Government is prepared to reconsider their former arrangement with regard to nomination in the District Board?

The Hon'ble Mr. SYED NAUSHER ALI: I am prepared to examine the question, but as at present advised it appears very difficult to extend the principles of election any further

Medical College Hospitals.

***168. Maulvi AFTAB HOSAIN JOARDAR:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) whether the honorary system introduced in various Government medical institutions in Bengal has proved a success, especially in the Medical College Hospitals;

(*ii*) how many contract officers are there in the Medical College Hospitals;

(*iii*) whether there is any report or statistics to show that in the interest of the students and patients of the Medical College Hospitals, contract Demonstrators and Registrars and other contract officers are equally efficient as Bengal Medical Service officers?

(*b*) If the answers to (*a*) are in the negative, is the Hon'ble Minister considering the desirability of appointing an expert committee to investigate into the working of the system?

The Hon'ble Mr. SYED NAUSHER ALI: (*a*) (*i*) The system of appointing honorary Medical Officers in Government hospitals in Calcutta has on the whole worked satisfactorily. The scheme has only been recently introduced in the Mitford Hospital, Dacca.

(*ii*) Eight.

(*iii*) It is too early yet to make an effective comparison especially as conditions are different from what they were before.

(*b*) Does not arise.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state whether in the appointment of honorary medical officers in Government hospitals, percentage of Muslims taken into consideration?

The Hon'ble Mr. SYED NAUSHER ALI: I do not think there is any percentage fixed.

Mr. SPEAKER: That question does not arise

Purchase of a motor car by the Chairman, Bally Municipality, Howrah, out of the Municipal fund.

***169. Mr. PROMATHA RANJAN THAKUR:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) whether it is a fact that the Chairman of the Bally Municipality, Howrah district, had purchased a motor car out of the Municipal fund;

(*ii*) whether it is a fact that the Examiner of Local Accounts objected in his inspection note to such purchase of motor car and its maintenance out of public fund and also for not keeping a proper log book; and

(*iii*) whether it is a fact that the Government in their letter No. 1965M., dated the 12th April, 1937 (Municipal Branch), ordered the Chairman of the Bally Municipality to dispose of the motor car immediately?

(*b*) Will the Hon'ble Minister be pleased to state whether the said motor car has been disposed of as yet?

(*c*) If not, why not?

(*d*) Is it a fact that the Chairman, Bally Municipality, is still using the said car?

The Hon'ble Mr. SYED NAUSHER ALI: (*a*) and (*d*) Yes.

(*b*) No.

(*c*) The commissioners of the municipality have asked for a revision of the Government order refusing sanction to the purchase of the car and the matter is under the consideration of Government.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what are the grounds on which such objection was taken?

The Hon'ble Mr. SYED NAUSHER ALI: It was a legal objection.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if it is a fact that conveyance allowance can be paid out of the municipal funds to the Chairman?

The Hon'ble Mr. SYED NAUSHER ALI: I think there is a provision in the Municipal Act that with the approval of the Local Government a municipality can give fixed travelling allowance to the Chairman of the municipality.

Reservation of seats for the Hindus in the District and Local Boards, Rajshahi.

***170. Maulvi MOSLEM ALI MOLLAH:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the Government in 1935 communicated to the Commissioner of Rajshahi Division their views that the Hindu community of the Rajshahi district should not be declared a minority community for the purposes of District Board and Local Board elections?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what were the reasons for changing their views a few months after declaring the Hindu community of the district a minority community, and reserving seats for them in the District Board and Local Board elections?

(*c*) Is the Hon'ble Minister aware that the Chairman and one of the two Vice-Chairmen of the District Board and two of the three Chairmen of the Local Boards of the district, are Hindus?

(*d*) Is the Hon'ble Minister considering the desirability of cancelling their order for the reservation of seats for the Hindus?

The Hon'ble Mr. SYED NAUSHER ALI: (*a*) Yes.

(*b*) In view of the communal tension then prevailing in the district it was decided that the Hindu community, which constituted about one-fifth of the population, deserved reservation.

(*c*) Yes.

(*d*) The whole question of reservation is under the consideration of Government.

The Hon'ble Mr. SYED NAUSHER ALI: With your permission, Sir, in my printed reply (*b*), I will just strike out "then" before the words "communal tension" and insert "then prevailing" after the words "communal tension".

Mr. SURENDRA MOHAN MAITRA: Will the Hon'ble Minister in charge explain the implications of the words "the whole question of reservation?" Does it apply to the whole province, or specially to the Rajshahi district?

The Hon'ble Mr. SYED NAUSHER ALI: When I say "the whole question of reservation," it implies the question of reservation extending over the whole province.

Mr. SURENDRA MOHAN MAITRA: Will the Hon'ble Minister be pleased to state the meaning of "the whole question of reservation is under the consideration of the Government?" Is it for the purpose of doing away with the reservation or for any other purpose?

The Hon'ble Mr. SYED NAUSHER ALI: The language is there, and it is for the hon'ble member to draw his inference.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if this reservation in the district of Rajshahi was given as a result of the demand of the Hindu population of this district?

The Hon'ble Mr. SYED NAUSHER ALI: It might have been so.

Maulvi ABDUL BARI: If there was a demand like that, will the Hon'ble Minister be pleased to state whether that demand came from any organised association or from individuals.

The Hon'ble Mr. SYED NAUSHER ALI: Sir, I would ask for notice.

Debt Settlement Boards, Burdwan.

*171. **Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the number of Debt Settlement Boards in the district of Burdwan; and

(*ii*) the number of members of the Boards showing separately the number of caste Hindus, Scheduled Castes and Muhammadans?

(*b*) Is it a fact that the Scheduled Castes are not adequately nominated?

(*c*) If the answer to (*a*) (*ii*) is in the affirmative, why more deserving candidates were not selected?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) 58.

(*ii*) Caste Hindus	...	210
Scheduled Castes	...	15
Muhammadans	...	65

(*b*) Members from Scheduled Castes have been appointed whenever found suitable.

(*c*) Does not arise.

Amendment of the Bengal Agricultural Debtors Act, 1935.

*172. **Maulvi JONAB ALI MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) in how many cases the civil courts of Chandpur, Tippera, had accepted notices under section 34 of the Bengal Agricultural Debtors Act, 1935, after sales were held and passed stay orders;

(*ii*) in how many of such cases they have afterwards vacated such orders after the expiry of one month's time from the dates of sales for confirmation of the same; and

(*iii*) whether he is aware that those stay orders have been vacated without giving any notice to the judgment-debtors concerned?

(*b*) Are the Government considering the desirability of introducing an amendment of the Bengal Agricultural Debtors Act, 1935, providing to give retrospective effect of the Act?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) The information is being gathered and will be supplied to the hon'ble member when available.

(*b*) An amending Bill is being prepared, but not to carry retrospective effect.

Cost of survey and settlement operation in Dinajpur.

***173. Mr. NISHITHA NATH KUNDU:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the cost of the last survey and settlement operations per acre that has been charged in Dinajpur on the *zemindars*, tenure-holders and *raiyats* and under-*raiyats*;

(*b*) the costs of survey settlement per acre that were charged in other districts of Bengal, district by district, on *zemindars*, tenure-holders, *raiyats* and under-*raiyats*; and

(*c*) if so, the reasons for the higher charges in the Dinajpur district?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Apportionment orders in respect of A and B blocks of the district of Dinajpur furnishing the information are placed on the Library table. A proposal for the reduction of the rate of recovery by 1 anna per acre in respect of B block is now under the consideration of Government.

(*b*) Statement furnishing the information is placed on the Library table.

(*c*) The cost rate compares favourably with that of the neighbouring district, Rangpur, as well as with those of other districts done in recent years though it is a little higher than those of early operations.

Mr. NISHITHA NATH KUNDU: Is it a fact that Government used to contribute one-fourth of the total cost in earlier settlement operations?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if it is a fact that that has been reduced by one anna in case of Dinajpore subdivision, and, if so, what is the reason?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On the ground of economy, Sir.

Mr. NISHITHA NATH KUNDU: Is it a fact that the cost charged in Dacca and Mymensingh districts were half of that charged in Dinajpore?

Mr. SPEAKER: That question does not arise.

Mr. NISHITHA NATH KUNDU: In view of the fact that the economic conditions are less favourable now in the province, is it not desirable for the Government to further reduce the cost?

Mr. SPEAKER: That question does not arise. That is a question of opinion.

Darjeeling Improvement Fund Department.

*174. **Mr. DAMBER SINGH GURUNG:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Government are considering the desirability of abolishing the Darjeeling Improvement Fund Department at once and establishing some other representative body in its place?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No such proposal is under consideration of Government.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what is the constitution and what is the purpose of this Darjeeling Improvement Fund?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether he is aware of the fact that there is a feeling against the said Improvement Fund?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. Government have no such information.

Dr. NALINAKSHA SANYAL: Will the Government be pleased to state whether this Darjeeling Improvement Fund is or is not utilized for the improvement of all the municipalities of Darjeeling district or only specifically levied for the improvement of Darjeeling only?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: For Darjeeling district excluding the municipalities.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that similar taxation is levied from Kalimpong, but not a single farthing is spent for the improvement of Kalimpong?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, money out of this Fund was spent on the Kalimpong Bazar area.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what amount was spent in the year 1936-37 and 1937-38 in Kalimpong Bazar area as stated by the Hon'ble Minister?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Total revenue demands of the khas mahal estates of certain circles of Noakhali.

*175. **Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state —

(*a*) the total revenue demand of the *khas mahal* estates of the following circles of Noakhali district for 1937-38 —

(1) Hatiya,

(2) Ramgati,

(3) Sandip,

(4) Sadar; and

(*b*) the amount of remission of rent granted for the period 1937-38, circle by circle, in each of the above *khas mahal* circles owing to the damages caused to the crops by the cyclone?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the table.

Statement referred to in the reply to starred question No. 175.

Total revenue demand of the *khas mahal* estates for the year 1937-38:—

	Rs.
(1) Hatiya	2,40,414
(2) Ramgati	1,21,860
(3) Sandip	1,72,339
(4) Sadar	2,06,970

Amount of remission of rent granted for 1937-38:—

	Rs.
(1) Hatiya	35,274
(2) Ramgati	14,783
(3) Sandip	16,793
(4) Sadar	41,177

Ministerial officers in the Noakhali Collectorate.

***176. Maulvi MUHAMMAD IBRAHIM:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether there are any ministerial officers in the Noakhali Collectorate whose tenure of office has expired but who are allowed to remain on extension?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of such officers with their names and designations, and

(*ii*) the number of extensions granted to them, with the reasons therefor?

(*c*) Is the Government aware that these extensions are delaying the promotions and new appointments?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) and (*c*) Yes.

(*b*) A statement is laid on the table.

Statement referred to in the reply to clause (b) of starred question No. 176.

* (1) Babu Iswar Chandra Saha, Treasury Accountant—8 extensions covering a period of 4½ years.

(2) Babu Hemanta Kumar Pal, Clerk, lower division—5 extensions covering a period of 2½ years.

(3) Babu Surendra Nath Ghosh Dastidar, Sarishtadar—2 extensions covering a period of 2 years.

(4) Maulvi Anwarali Choudhury, Clerk, lower division—3 extensions covering a period of 1½ years.

The extensions which are admissible under rule 56(*b*) of the Fundamental Rules were granted in the interest of public service and in consideration of the efficiency of the officers concerned.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state whether it is intended to give further extension to these officers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, Government are discouraging extensions as much as possible and now Government have issued directions that in only very exceptional circumstances in the interests of public service such extension should be granted.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state when the extension period of Babu Iswar Chandra Shaha who has got 8 extensions will expire?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state whether the administration is unmanageable without the services of all these men?

Mr. SPEAKER: That question does not arise.

Khan Sahib Maulvi SYED MUHAMMAD AFZAL: Will the Hon'ble Minister be pleased to state whether directions have been sent to the officers concerned in connexion with these extensions?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is the general direction not with reference to any particular case.

Mr. SYED ABDUL MAJID: In view of the 8 extensions to this particular officer and 5 extensions to Babu Hemanta Kumar Pal, clerk, lower division, does not the Hon'ble Minister consider it desirable that he should direct the officer concerned not to allow further extensions?

Mr. SPEAKER: That is a request for action.

Mr. ABDUL WAHAB KHAN: What is the present age of Babu Iswar Chandra Saha after receiving 8 extensions?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I ask for notice.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if he is aware that these officers were on long leave during these extensions and that the work was managed by their juniors?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Levy of taxes on the owners of motor cars and bullock carts by the Darjeeling Improvement Fund Department, Darjeeling.

***177. Mr. DAMBER SINGH GURUNG:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the Dareeling Improvement Fund Department in the district of Darjeeling levies a tax of 4 annas per car per day on the motor owners over and above the motor vehicles tax; and

(*ii*) that the same amount is charged from the bullock carts too?

(*b*) If so, will the Hon'ble Minister be pleased to state the principle under which the levy is made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Yes: Taxis and motor buses parking within the Darjeeling Improvement Fund *hats* and picking up passengers therein are liable to pay a consolidated toll of 4 annas per day in a minor *hat* and 8 annas per day in a major *hat*.

(*ii*) Yes.

(*b*) These fees are levied in accordance with the Tolls Act under Government Notification No. 2110-L.R., dated the 28th January, 1938, published at page 257 of the *Calcutta Gazette*, dated the 3rd February, 1938, and also under clauses (*g*), (*h*) and (*i*) of the printed scale of Tolls (a copy of which is laid on the Library table). These fees are levied for the benefit of the Darjeeling Improvement Fund which maintains and improves the *hats*, and contributes a large annual sum to the District Board.

This is a special form of local taxation, peculiar to Darjeeling district.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that motor cars are required to pay Rs. 5 per month or in the alternative

4 annas per day on account of the Darjeeling Improvement Fund in addition to the ordinary taxation under the Motor Vehicles Act, and, if so, will he be pleased to state what additional benefit is given to these motor car owners as a consequence?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, this parking arrangement was made at a large cost for the convenience of the motor car owners.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in Kalimpong Town not a single penny has been spent for any parking arrangement but still this taxation is made.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Dr NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if motor cars which are not allowed to enter Darjeeling and which have not got the permission to ply between Siliguri and Darjeeling Road have also got to pay this additional taxation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That road is in the Darjeeling district.

Dr. NALINAKSHA SANYAL: Will he be pleased to state if taxis and cars belonging to Darjeeling and which pay this fee are allowed to go to any part of Darjeeling, whereas taxis and cars belonging to Kalimpong and which are also required to pay this are restricted in plying in Darjeeling?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Dr. NALINAKSHA SANYAL: In view of this inequitous arrangement will he be pleased to enquire if there is any possibility of giving relief to Kalimpong motor cars?

Mr. SPEAKER: He has not accepted your previous remark and so the latter part of your question does not arise.

Dr. NALINAKSHA SANYAL: Will he kindly enquire if this is a fact and be pleased to see if any action can be taken in giving relief to Kalimpong motor cars?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Dr. NALINAKSHA SANYAL: Will he be pleased to state if it is possible for the Government to set apart the money collected from Kalimpong for the improvement of Kalimpong?

Mr. SPEAKER: I am afraid that does not arise.

Grievances of tenants and rate-payers of the Darjeeling Improvement Fund.

*178. **Mr. DAMBER SINGH GURUNG:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that there is a feeling of dissatisfaction amongst the tenants and rate-payers of the Darjeeling Improvement Fund in Darjeeling; and

(*ii*) that they represented their grievances to the local authority?

(*b*) Are the Government considering the desirability of substituting some other representative body in place of the Darjeeling Improvement Fund Department?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Government are not aware that there is any general feeling of dissatisfaction but the tenants recently made certain representations to the local authorities. These have been duly considered and the building rules of the Darjeeling Improvement Fund are being modified.

(*b*) No such proposal is under consideration.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that before the notification of 28th January 1938, Government had no legal authority to levy this taxation?

Mr. SPEAKER: How does this question arise?

Dr. NALINAKSHA SANYAL: In the previous question he has quoted the authority under which the levy was made and this question refers to the representations made against the levy. Is it not a fact that the Government had no legal authority for the levy of toll under the clauses mentioned in answer to the previous question but that they have legalised it by the recent notification of January 28, 1938? Sir, before that there was no legal authority.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The body was constituted by an executive order and Government realised the fees under that order.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether it is not a fact that the Government had no legal authority in levying taxation prior to the passing of the executive order but which they did?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is not taxation. It is a fee paid for special services.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Maladministration in the Calcutta Corporation.

40. Maulvi MOSLEM ALI MOLLAH: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether his attention has been drawn to the allegations of maladministration, illegalities and infringement of laws and rules in the present administration of the Calcutta Corporation and specially in the Building Department?

(*b*) If so, what steps do Government propose to take in the matter?

The Hon'ble Mr. SYED NAUSHER ALI: (*a*) My attention has been drawn to certain allegations of maladministration in the Calcutta Corporation.

(*b*) The matter is under my consideration.

Maulvi ABDUL WAHAB KHAN: With reference to answer (*b*), will the Hon'ble Minister be pleased to state what time the Government will take to finish considering the matter and to come to a decision.

The Hon'ble Mr. SYED NAUSHER ALI: I cannot give any time-limit, Sir.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state the number and nature of the allegations regarding maladministration of the Calcutta Corporation and by whom and from whom?

The Hon'ble Mr. SYED NAUSHER ALI: I must at once make it absolutely clear that Government have no official information so far as maladministration is concerned, but speaking for myself, since I came into office, I think I got a few representations—a statement

from the North Calcutta Congress Committee and another perhaps from some gentlemen whose names I can find out from the file, as I do not remember just now. So far as the North Calcutta Congress Committee's statement is concerned, they made certain serious allegations with regard to the administration of the Building Department but above all those things I think I can tell the House at once that I felt almost certain about the existence of maladministration when I read the statement of Mr. Subhas Chandra Bose, now the President of the Indian National Congress, in which he described the Calcutta Corporation,as the Augean Stables. My idea about the existence of maladministration was further strengthened when I heard on the floor of this House one of the ex-Mayors, viz., Mr. Santosh Kumar Basu, disowning everything with regard to the Calcutta Corporation which is bad, and attributing it to the administration which he described as the administration not of real Congressmen but of pseudo-Congressmen.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister prepared to agree that contrary to public belief, in most cases, the interference of the Building Standing Committee is responsible for laches and not the Building Department itself?

The Hon'ble Mr. SYED NAUSHER ALI: That is more or less a question of opinion.

Mr. SYED JALALUDDIN HASHEMY: Is the Hon'ble Minister aware of the fact that a Committee of Enquiry was appointed by the Calcutta Corporation regarding the Building Department, and is he also aware of the fact that in that enquiry no such allegation has ever been proved?

The Hon'ble Mr. SYED NAUSHER ALI: The proceedings of any Committee are not forwarded to Government, and consequently it is not possible for Government to know what the proceedings of that Committee were.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to stated whether he considers the desirability of bringing an amending Bill with sufficient power to check this maladministration?

Mr. SPEAKER: That question does not arise.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to tell us whether in view of the statement made by him he is prepared to accept the statement made by Mr. Subhas

Chandra Bose with regard to matters relating to the administration of the Calcutta Corporation?

(No reply.)

Noakhali Debt Settlement Boards.

41. Mr. SHAH SYED GOLAM SARWAR HOSAINI: (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware—

(*i*) that an express letter No. 3242-62-R.I., dated the 5th August, 1937, was issued by this department;

(*ii*) that objections were received from the debtors against the issue of the letter; and

(*iii*) that the said order was subsequently modified by Government?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Debt Settlement Boards have been informed of the modifications?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) the date of receipt by the District Magistrate of Noakhali of the said express letter;

(*ii*) the date of circulation to the Board;

(*iii*) the date of receipt of the amendment of the said order of express letter; and

(*iv*) the date of circulation of the same to the Debt Settlement Boards in this district?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*), (*iii*) and (*b*) Yes.

(*ii*) No.

(*c*) (*i*) 8th August, 1937.

(*ii*) 17th August, 1937.

(*iii*) 2nd October, 1937.

(*iv*) 28th October, 1937.

Special Officers of the Debt Settlement Boards.

42. Maulvi ABDUL BARI: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) how many Special Officers have been appointed for Debt Settlement Boards;

(*b*) how many of them are from West Bengal;

(*c*) how many of these referred to in (*b*) are Muhammadans; and

(*d*) how many of them are from Murshidabad?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Hon'ble member is referred to the reply given by me to the starred question No. 82 at the current session of the Assembly.

Maulvi ABDUL BARI: Sir, may I know what were the answers given to starred question No. 82?

Mr. SPEAKER: That is not a supplementary question.

Maulvi ABDUL BARI: On a question of privilege, Sir. When a member gives notice of a question it is not possible for him to anticipate what exactly the answer would be. As a matter of fact, the printed questions and answers are distributed to members only 15 minutes before the sitting, and so members are not in a position to know exactly what the answers are likely to be.

Mr. SPEAKER: I have seen from my personal experience that the number of questions of the same nature has increased so much that I cannot blame if an Hon'ble Minister simply refers to them. At the same time, if a member puts a supplementary question relevant to the answer given by an Hon'ble Minister, I am perfectly prepared to see that the member gets an answer.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if he received applications from any candidates from the district of Murshidabad for these appointments?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: There was none.

Mr. MONMOHAN DAS: Will the Hon'ble Minister be pleased to state how many special officers were recruited from the scheduled castes?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I have answered this question several times.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir, before the regular business of the House begins I seek your guidance in a matter. Yesterday, Sir, I entered the wrong lobby, and I want to know if there is any method by which that blunder of mine can be rectified?

Mr. SPEAKER: I thought it was a more serious matter that you wanted to submit. As it is, I do not think there is any help in the matter if you had gone to the wrong lobby. I do not think that the ballot list can be changed.

DEMAND FOR GRANT.

25—General Administration.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 100 to raise a discussion about increased provision for recruitment of a larger number of Bengal Civil Service and Bengal Junior Civil Service officers.

Sir, for the recruitment of a larger number of Bengal Civil Service and Bengal Junior Civil Service officers an increased provision of a sum of Rs. 1 lakh has been budgeted. My motion is very simple. It demands that the increased provision for recruitment of a larger number of Bengal Civil Service and Bengal Junior Civil Service officers should be done away with. Yesterday the motion referred to economy in the General Administration. To-day the motion that has been moved by me refers to economy in one department.

Mr. Speaker, Sir, when the Swan Committee met in 1932, the cadre of the Bengal Civil Service officers in 1932 was 322 and the cadre of the Bengal Junior Civil Service officers at that time was 501. The Swan Committee met under the bureaucratic Government and recommended a reduction of the cadre in the Bengal Civil Service from 322 to about 200, and they also recommended a reduction in the number of Bengal Junior Civil Service officers by 101, i.e., they wanted that the cadre of the Bengal Junior Civil Service officers should be reduced to 400. They were of opinion that one Circle Officer in each subdivision would be sufficient and they wanted that 101 posts in the Bengal Junior Civil Service cadre could thereby be abolished. That was the recommendation of the Swan Committee under the bureaucratic Government in the year 1932. Now, let us see whether the recommendation of that Committee has been accepted by this Government which calls itself a popular Government. Of course, it is not clear from the White Paper that has been published, but their proposal is this that the number of Bengal Civil Service officers would be 239 instead of 322, and the number of Bengal Junior Civil Service officers would be 534 instead of 400. It is not clear whether this includes the increased provision that is sought to be made in this year's budget. But if it does, even then the recommendation of the Swan Committee was that the number of officers in the cadre of the Bengal Civil Service should be 200 and

that in the cadre of Bengal Junior Civil Service should be 400. Thus, Sir, the recommendation of the Swan Committee has not been accepted. On the contrary, we notice that provision has been made for an increased number. Of course, in the speech which has been delivered by the Hon'ble Finance Minister, there is no mention of any reason why there should be an increased provision for the recruitment of a larger number of Bengal Civil Service and Bengal Junior Civil Service officers. We heard yesterday that the Hon'ble Home Minister was enamoured of the Sub-Deputy Collectors. But one fact we must remember, viz., that Sub-Deputy Collectors who work as Circle Officers get in addition to their own pay Rs. 75 or Rs. 100 as allowance according as the district is dry or riverine. That is pay of the Circle Officers of Deputy and Sub-Deputy Magistrates under head the amount that has been budgeted is Rs. 29 lakhs. Those who have got experience of the mufassil can easily say that there is absolutely no necessity for increasing the cadre. We know what the Circle Officers do. They are practically for inspecting the Union Boards. Not only that, they act as spies of Government in the villages and their activities are not above suspicion Moreover, the presidents of the Union Boards are made to feel through them that they are servants of the Government and not representatives of the people. That is the duty that is entrusted to the Circle Officers. Through Circle Officers the bureaucratic Government enter the villages.

The question is whether the motion should be accepted or not. The only question that awaits your decision is whether you are prepared to increase the number of officers in the Bengal Civil Service and in the Bengal Junior Civil Service or not. If you are not prepared to increase the number, you will have to support my motion; and if you want to increase the number of officers, you will have to reject it. That is the position. I am quite sure that this increased provision for the recruitment of officers of the Bengal Civil Service and the Bengal Junior Civil Service is meant for distributing patronage by the present Government in order to consolidate their position and that is the only apparent reason.

Now, if you speak of economy the Finance Minister will fall upon us and I know the members of the Cabinet cannot talk of retrenchment because by their conduct, in drawing fat salaries, and drawing fat travelling and other allowances, they have shown that they are members of the worst type of bureaucracy. And in order to cover their shame they have resorted to false and trivolous arguments. Yesterday the Hon'ble Chief Minister advanced some arguments which were the arguments of fifth rate advocates. He referred to the Calcutta Corporation and the Calcutta University. Each case must be judged by its own merits. By referring to the Calcutta Corporation and the Calcutta University he wanted to foment the communal passion, and I

say he was successful: then he said that if you accept the motion it would as a matter of fact amount to a censure on the Government. But acceptance of a cut motion does not necessarily amount to a censure in all cases. These are the arguments which are practically insulting to the intelligence of the members of the House and I was sorry to find that such arguments should appeal to some sections of the House. The real question is whether there should be retrenchment in this particular case. Do you really want that the number of Deputy Magistrates and Sub-Deputy Magistrates should be increased in the mufassil? If you do not like any further increase in the number, I appeal to you to accept my motion but if you think that the number should be increased then you will reject this motion.

Mr. ABDULLA-AL MAHMOOD: This is also communalism.

Mr. DHIRENDRA NATH DATTA: We are not here to preach communalism. The Hon'ble Chief Minister refers to communalism in order to foment communal passion and misguide the members of the House. It is surprising that the members of the House could be so misguided. This question of retrenchment is very simple and no argument is necessary. I would refer to the recommendations of the Swan Committee and would refer to the experience of the mufassil which would tell you that there is no necessity for further recruitment of officers of the Bengal Civil Service and the Bengal Junior Civil Service. For this, an increased provision of Rs 1 lakh has been made: by saving this one lakh of rupees, we could have sunk 1,000 tube-wells in the villages in rural Bengal. We are said to be the benefactors of the people and trustees of the rural population of Bengal and I would appeal to you to act accordingly.

Sir, before I sit down I want to refer to one thing: there is one class of women who talk too much and whose voice is the loudest and I see the members of the Cabinet belong to that class of women. I would not trouble the House by inflicting a long speech. I commend the motion to the acceptance of the House.

Mr. ABDULLA-AL MAHMOOD: The motion that has been placed before this House by the hon'ble member just now, I think, has got very little substance in it. I will just place before this House that the arguments advanced in favour of decreasing the number of officers of the Bengal Civil Service, specially Junior Service do not hold water. I may, however, point out to this House that there are of course some services which do not give proper service in comparison with the money that is spent on them from the State. If members of these services are replaced by officers of the Bengal Junior Civil Service, I think, the administration can be run on efficient and better lines. I

may mention here that Sub-Inspectors of Schools are, in my opinion and in the opinion of some of the members of the Indian Civil Service, not giving the service that they are paid for.

Again, Sub-Registrars have got work only for 6 months practically and for the other six months they have no sufficient work. The same is the case with the Special Officers of Debt Settlement Boards. All these three kinds of officers, namely, the Sub-Inspectors of Schools, the Sub-Registrars and the Special Officers of the Debt Settlement Boards, should be replaced by Circle Officers, because, to a great extent, they go almost to the same place and almost for the same purpose, but the major portion of the duty is done by the Circle Officer. Therefore, I would suggest to the Hon'ble Minister that the number of Circle Officers should be increased and the number of the officers mentioned by me should be reduced so that the administration in the mufassil can be run efficiently because in that case both money and time will be saved.

Then, Sir, there is much talk about rural development work and some provision has been made in the Budget for this work. I think the members of the Bengal Junior Civil Service will be able to give better service in this rural uplift work than others, if the jurisdiction and area be reduced for each one of them because they are the people who are heard and attended to in the villages and much attention is paid to what they say and do. I think Mr. Datta has not been able to convince the House that there is no necessity for the recruitment of a larger number of members of the Bengal Junior Civil Service. With these few words, I oppose Mr. Datta's motion.

THE Hon'ble Khwaja Sir NAZIMUDDIN: After the definite vote of the House on this subject last night and the speeches that were made in support of that I am surprised that any member should have the hardihood of again raising this question to-day, but there is some justification, however, I believe for raising this question by Mr. Datta as he comes from Comilla, the district where the Congress Committee opposed the work of one of the Subdivisional Officers whose services were recognised not only by Government but throughout the province of Bengal. (Question, question). I think that may be a possible explanation of this motion.

There is another thing which I would like the House to consider. The mover of the motion alleged that the Government benches yesterday misled the House. But the example which we have got to-day of misleading the members of this House is unique even in the annals of this House. The proposer has stated that the Government have come forward with a proposal for increasing the cadre of the Bengal Civil Service and the Bengal Junior Civil Service merely to provide patronage for their followers and supporters and to give appointments to a few

of them whom they want to find employments for. The colossal ignorance that has been shown by the mover will be apparent when I say that the appointments are made entirely by means of the competitive examinations held under the auspices of the Public Service Commission.

Dr. NALINAKSHA SANYAL: Not at all.

The Hon'ble Khwaja Sir NAZIMUDDIN: As regards B.C.S. and B.J.C.S. appointments, recruitments are made strictly on the order of merit on the result of the examination keeping in view the reservation for the various communities, but there can be no question whatsoever of any individual getting any preferential treatment in the matter of appointments in B.C.S. or B.J.C.S. for the simple reason that men are appointed on the result of the examination and according to the places they occupy in the examination. There are a certain number of posts reserved for Hindus, and some for Muslims and some for Scheduled Castes and Depressed Classes and the appointments are made absolutely on the result of the examination and there is no discrimination on the part of the Government. Government do not and cannot give appointment to anyone who is lower in the list in preference to one who is higher up in the list. Therefore the question of patronage is absolutely misleading and a gross misrepresentation of facts.

Dr. NALINAKSHA SANYAL: What about the *viva voce* examination?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is held by the Public Service Commission, but they may have one or two persons to help them at the examination and I am sure that no member can get up and insinuate that favouritism has been shown by the members of the Public Service Commission to those who have been examined by them.

Dr. NALINAKSHA SANYAL: There are numerous instances which show that there has been favouritism.

Mr. SPEAKER: I have again to warn you, Dr. Sanyal, that if you go on interrupting every speech every ten seconds——

Dr. NALINAKSHA SANYAL: But the Hon'ble Minister threw out a challenge.

Mr. SPEAKER: Order, order, you are not entitled to do it as there has been no challenge. He has been simply replying to certain points raised by Mr. Datta. You can only rise on relevant matters. But I

have been noticing that you have been attempting to interrupt the Hon'ble Minister too frequently. I am prepared to give you opportunities to correct gross misrepresentation of facts but you would not be justified to punctuate every statement with your side remarks.

Dr. NALINAKSHA SANYAL: On a point of explanation, Sir. Because there will be no opportunity to correct it again.

Mr. SPEAKER: I realise that in no Parliament in the world an opportunity is given for a cross-debate. If parliamentary work is to be punctuated with interruptions I am afraid it will be impossible to carry on, and the whole business will come to a standstill. I, therefore, appeal to the Leader of the Group to see whether it is not possible to stop such interruptions.

The Hon'ble Khwaja Sir NAZIMUDDIN: I, therefore, would like to impress upon the House that some members of the Opposition are apt to mislead them by distortion of facts. There is one point that has been raised, namely, the report of the Swan Committee. I would in this connection place before the House the circumstances under which that Committee was appointed. It was at a time when there was a very heavy deficit and Government were faced with the difficulty of making their two ends meet at any cost. The question then was not what amount should be spent on a particular item, but that at any cost sufficient money must be saved to make the budget balanced. Therefore, it was necessary at that time to recommend certain retrenchment proposals which under those circumstances were perhaps justifiable. For example, Government cut down the grants to educational institutions and other local bodies. No one would suggest that because that was one of the means adopted for retrenchment of expenditure at that time, it should be followed now. So, it follows that it is not possible to put up the report of the Swan Committee as a document which should be accepted without question. I have shown that since 1922-23 a very large number of duties has been placed on the shoulders of the Circle Officers. Again I will repeat to the House that the Circle Officers have got to supervise the Debt Settlement Boards. The Special Officers of the Debt Settlement Boards are all young men who have had no training and no experience.

These men are asked to manage 30 boards per each debt settlement office. Now there must be some one who should be in close contact with them, advising and guiding these young debt settlement officers, and these Circle Officers have to supervise about 60 of these debt settlement boards. On the top of that these Circle Officers are also presidents of the special boards that are being formed under the Agricultural Debtors' Act. Therefore the duties of the Circle Officers are numerous,

and as I have said, there is such a shortage of officers that from every district and subdivision there is a cry that they must immediately have more officers; otherwise there will be serious difficulties in carrying on the work. Under these circumstances Government have come forward with the proposal to increase the number of B. C. S. and B. J. C. S. officers.

Rai HARENDRA NATH CHAUDHURI: On a point of information, Sir. Will the Hon'ble Minister be pleased to explain why, if these officers are required so much in the interest of debt settlement boards, why their provision is not made in the sub-head 'Debt Conciliation' under head "25—General Administration"?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am really surprised at the question, because it is one of the many duties that a Circle Officer has to perform——

Mr. SPEAKER: That will do.

The motion that the sum of Rs. 1,14,08,000 be granted for expenditure under the head "25—General Administration" be reduced by Rs. 100 was put and lost.

The following amendment standing in the name of Mr. Kshetra Nath Singh was called but not moved:—

Appointing a service committee in each district to advise the district authorities in matters of appointments in services and nominations.

Mr. SPEAKER: Mr. Giasuddin Ahmed will now move his motion, aimed at abolishing the expenditure under the head "Commissioners,"

But I find that we have now reached the prayer time and therefore I shall now adjourn the House for 10 minutes and you can begin your speech afterwards, after we re-assemble.

(The House was then adjourned for 10 minutes.)

(After adjournment.)

Mr. GIASUDDIN AHMED: I beg to move that the sum of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 2,30,800 (economy by abolishing expenditure under the head "Commissioners.")

সভাপতি মহাশয়, আমার প্রস্তাব অতি সরল এবং সহজ। বিদেশী গভর্ণমেণ্টের অনুগ্রহে বাংলার বুকে বহু জলপ্রদ পাথরের সৃষ্টি হয়েছে। আমার এই প্রস্তাবদ্বারা তারি একটা পাথর

সরাতে চাই, অর্থাৎ বিভাগীয় কমিশনারদের পদ উঠিয়ে দিতে চাই। কমিশনারদের থাকার যে কোন প্রয়োজন নাই, একথা সুধু জনসাধারণ আর এখানকার সভ্য বৃন্দ কেন, গভর্ণমেণ্টও সরল ভাষায় তা স্বীকার করেছেন। এ ছাড়া Swan Committee র রিপোর্টেও দেখতে পাই যে তারা এই কমিশনারদের পদ উঠিয়ে দেবার জন্য recommend কোরেছেন। এ বিষয়ে জনসাধারণ বার বার কোরে তাদের অভিমত প্রকাশ করার পরও যদি গভর্ণমেণ্টের চৈতন্য না হয় তাহলে আমরা বোলতে বাধ্য হই যে, পূর্বতন আমলাতন্ত্র গভর্ণমেণ্টের মনোবৃত্তি নিয়েই বর্ত্তমান গভর্ণমেণ্টও চোলতে চান। (সাধু, সাধু,) তা যদি না হ'তো, তাহলে কমিশনারদের এখন আর আবশ্যক নাই, এই অভিমত বার বার কোরে প্রকাশ করা সত্বেও ঐ পদ গুলিকে বজায় রাখার কারণ কি? কমিশনারদের পদ যখন সৃষ্টি হয়েছিল তখন বাংলাদেশ শাসন করতেন মাত্র একজন Lieutenant Governor এবং সেই Lieutenant Governor এর কাজের সুবিধার জন্য কমিশনারদের সৃষ্টি হয়েছিল। এখন বাংলা শাসন করবার জন্য Governor তো আছেনই, তাঁর যে কত সেক্রেটারী তার তো সংখ্যাই নাই তার উপর ১১ জন মন্ত্রী এবং সঙ্গে সঙ্গে আরো কত Officer নিযুক্ত হয়েছে, এসব সত্বেও বর্ত্তমানে এই পদ কেন উঠিয়ে দেওয়া হয় না জানি না।

মহোদয়, গত বাজেট্ আলোচনার সময় আমাদের মাননীয় সভ্য মিঃ থৈতান বলেছিলেন, যা নাকি একটু আগে আমিও বলেছি যে, কমিশনারের পদ সৃষ্টিকরা হয়েছিলো, একজনমাত্র Lieutenant Governor যখন বাংলা দেশ শাসন কোরতেন—তাঁর কাজের সাহায্যের জন্য, এখন আর তার প্রয়োজন নাই। এর উত্তরে মাননীয় অর্থসচীব মহাশয় বলেছিলেন যে, আমি একথা স্বীকার করি। এবং তিনি আরো বলেছিলেন যে বর্ত্তমানে যখন এই পদের আর প্রয়োজন নাই তখন আমি স্বীকার কোরছি যে, আগামী অধিবেসনের পূর্বে এ বিষয়টীর সম্বন্ধে আমরা বিবেচনা কোরে যা স্থির হয় তাহা এই অধিবেসনে সভ্যদের নিকট প্রকাশ করবো। কিন্তু সে বিষয়ে আমরা আজ পর্য্যন্ত কিছুই জানতে পারি নাই। (A member : বিবেচনা কোরে ঠিক কোরেছেন যে বিশেষ কিছুই করা হবে না।) এই প্রস্তাব মন্ত্রী মহোদয়দের উপর অনাস্থার ব্যাপার আসবে এ ইচ্ছা, বা উদ্দেশ্য আমার নাই, এই প্রস্তাবদ্বারা আমি সুধু এই কথা বোলতে চাই যে, বাংলাদেশের জনসাধারণের বিশেষ ক'রে কৃষকদের এবং শ্রমিকদের পেটে যখন অন্ন নাই, রোগে যখন ঔষধ নাই, তাদের শিক্ষার যখন কোন ব্যবস্থা নাই, যে সময় বাংলার সর্বত্র ম্যালেরিয়া মহামারিতে হাজার হাজার লোক মশা মাছির মতন মৃত্যুমুখে পতিত হচ্ছে, আর সে সকলের প্রতিকার গভর্ণমেণ্টকে কোরতে বল্লে—"আমাদের হাতে টাকা নাই, সুতরাং আমরা এখন এর প্রতিকার কোরতে পারবো না" এই কথায় আমাদের নিরস্ত রাখেন; সেই জন্য আমরা গভর্ণমেণ্টকে জানাচ্ছি যে, যদি গভর্ণমেণ্ট এই পদ উঠিয়ে দেন তাহলে একসঙ্গে ৮ লক্ষের উপর টাকা তাঁরা হাতে পেতে পারেন, তাদ্বারা বাংলার ম্যালেরিয়া দূর করবার জন্য চেষ্টা কোরতে পারেন, অথবা তাঁরা যদি প্রাথমিক শিক্ষার জন্যও ঐ টাকা দেন তাহলে দু'একটা district এ অবৈতনিক প্রাথমিক শিক্ষা হোতে পারে। প্রাথমিক শিক্ষা সম্বন্ধে ইতিপূর্বে বহুবার বলা হয়েছে। এবং মন্ত্রী মহাশয়রাও সকলেই স্বীকার কোরেছেন যে, প্রাথমিক শিক্ষা তাঁরা দেশে প্রবর্ত্তন কোরবেন অবৈতনিকভাবে। কিন্তু তৎ সঙ্গে সঙ্গে প্রজার খাজনার প্রতি টাকায় সাড়ে তিন পয়সা ক'রে কর ধার্য্য কোরেছেন। কবেই যদি দিতে হলো তাহলে অবৈতনিক শিক্ষা এটা কি ক'রে হতে পারে বুঝিনা। আগে লেখা পড়া শিক্ষার জন্য ছেলেরা কিছু কিছু বেতন দিত এখন সেস্থলে ছেলের বাপেরা খাজনার প্রতি টাকায় সাড়ে তিন পয়সা ক'রে শিক্ষা

কর দেবে, অথচ গভর্ণমেণ্ট বোলছেন—"আমরা free education প্রবর্ত্তন কোরছি"। এটা কিরকম যুক্তির দুরবতারণা তা আপনারা সকলেই বুঝতে পারছেন।

আমি এই সম্পর্কে আরো বোলতে চাই এই যে, এই কমিশনারদের থাকার দরুণ জনসাধারণের কিপ্রকার অসুবিধা ভোগ কোরতে হয়। এখানে একটা উদাহরণ সেই সম্পর্কে দিতে চাই। Union Board নির্ব্বাচনের final authority হলেন Commissioner। Union Board এর nomination এর ব্যাপারে তারা যেরকম অযথা বিলম্ব করেন তার ফলে জনসাধারণকে অনেক অসুবিধা ভোগ কোরতে হয়। আমি জানি ময়মনসিংহ জেলার জামালপুরের অনেক Union Board এর nomination এর list নির্ব্বাচনের পরে এক বছর পরে গেজেট করা হয়েছিল। এই যদি দায়িত্বশীল কর্ম্মচারীর কাজ হয়—তাহলে দায়িত্বহীন কর্ম্মচারী কাদের বলে আমি জানি না। এই সমস্ত বিবেচনা কোরে আমি সভ্য মহোদয়দের অনুরোধ কোরছি, আপনারা এই প্রস্তাবের পক্ষে ভোট দিয়ে এই টাকাটা যদি বাঁচাতে পারেন তবুবারা বাংলার গরীবদের যথেষ্ট উপকার হোতে পারে। আমরা যখন বাংলার কৃষক প্রজার প্রতিনিধি হিসাবে এসেছি, কৃষক প্রজাদের রোগের ঔষধ অথবা তাদের পানীয় জলের ব্যবস্থার জন্য যদি এই টাকা খাটাতে পারি তাহলে দেশের যথেষ্ট মঙ্গল হবে। সেই জন্য আমি বার বার আপনাদের কাছে অনুরোধ কোরছি আপনারা ভোট দিয়ে এই প্রস্তাবটা পাশ কোরে দিন।

এই সম্পর্কে মন্ত্রী মহোদয়ের নিকট বক্তব্য, আমার প্রস্তাবের ভিতর মন্ত্রীত্ব ভাঙ্গবার কোন উদ্দেশ্য নাই এবং এ প্রস্তাব পাশ হইলে I-lam বিপন্ন হওয়ারও কোন আশঙ্কা নাই সে সম্বন্ধে সরকার নির্ভয় থাকতে পারেন সে কথা আমি বার বার বলেছি। আমি শুধু বোলতে চাই যে, গভর্ণমেণ্টের হাতে টাকা নাই, সেই জন্য গভর্ণমেণ্ট কোন ভাল কাজ করতে পারছেন না; যদি ৪ লক্ষ টাকা গভর্ণমেণ্ট হাতে পান তাদ্বারা অনেক ভাল কাজ কোরে গভর্ণমেণ্ট শক্তিশালী হবেন এবং জনপ্রিয়তা রক্ষা কোরতে পারবেন। সেই জন্য এই প্রস্তাবদ্বারা প্রকারান্তরে আমি মন্ত্রী মহোদয়দের সহায়তা কোরেছি সুতরাং এই সম্পর্কে মন্ত্রী মহোদয়েরা আমার প্রতি কোন ভুল ধারণা রাখবেন না বলেই আমি আশা করি।

তারপর এই প্রস্তাব সম্পর্কে আমি পূর্বেই বোলেছি যে, মন্ত্রীমণ্ডলী ভেঙ্গে যাবার কোন আশঙ্কা নাই। আমরা যখনই কোন cut motion বা যখনই কোন ছাটাই প্রস্তাব উপস্থিত করি, তখনই মন্ত্রীমণ্ডলী বোলে বেড়ান যে, যদি এই প্রস্তাব পাশ হয় তাহলে মন্ত্রীমণ্ডলী ভেঙ্গে যাবে। কিন্তু আমরা তাঁদের আশ্বাস দিচ্ছি যে—মন্ত্রীমণ্ডলী ভাঙ্গবার ইচ্ছা আমাদের মোটেই নাই। আমরা চাই এই প্রস্তাব পাশ কোরে কিছু টাকা বাঁচিয়ে জনসাধারণের উপকার কোরতে, কৃষক প্রজার উপকার কোরতে, এবং দেশের মধ্যে অশিক্ষা দূর কোরে শিক্ষার প্রচলন কোরতে। এই হলো আমাদের উদ্দেশ্য। সুতরাং আমি আশা করি এ সম্পর্কে সকলেই একমত হয়ে আমার প্রস্তাব সমর্থন কোরবেন। কোয়ালিশন দলের ভাইদের আমি বিশেষ কোরে অনুরোধ কোরছি—দেশের প্রতিনিধি, দেশের কৃষক প্রজার প্রতিনিধি হিসাবে তাঁরা এখানে এসেছেন, পাড়াগাঁয়ে তাঁরা অনেকেই বাস করেন সেইজন্য পাড়াগাঁয়ে কৃষকদের কি দুর্দ্দশা তা তাঁরা ভালো কোরেই জানেন। তাদের সবচেয়ে বড় দুর্দ্দশা শিক্ষার অভাব। এই শিক্ষার অভাব মোচনের জন্য আমরা এখনো পর্য্যন্ত কিছুই কোরতে পারি নাই। ময়মনসিংহে প্রাথমিক শিক্ষা প্রচলন কোরতে গিয়ে সরকার যে ব্যবস্থা অবলম্বন কোরেছেন তদ্বারা

কৃষকদের উপকার না কোরে যথেষ্ট অপকারই করা হবে। বাংলাদেশের কৃষকদের যত জমি নীলামে উঠে তার অধিকাংশ জমিই বাকি খাজনার দায়ে নিলাম উঠে। বর্ত্তমানে যারা খাজনা দিতে পারে না তাদের উপর যদি টাকায় সাড়ে তিন পয়সা ক'রে শিক্ষাকর ধার্য্য হয়, তাহলে তারা দিতে পারবে বোলে আমি বিশ্বাস করি না। যদি এইভাবে শিক্ষাকর ওঠানো হতে থাকে তাহলে কৃষক প্রজারা অনেকেই বাড়ীঘর বিক্রয় কোরতে বাধ্য হবে। তার জন্য আমি এই প্রস্তাব করছি; যদি আপনারা এই প্রস্তাব গ্রহণ কোরে ৪ লক্ষ টাকা বাঁচাতে পারেন, এবং এই শ্রেণীর আরো প্রস্তাব আসবে—সেগুলিও যদি গ্রহণ করেন তাহলে বিনা করে প্রাথমিক শিক্ষার প্রচলন কোরতে পারবেন। আমি আবার অনুরোধ কোরছি—আপনারা কোন ভুল ধারণা না কোরে যাতে এই প্রস্তাবটা পাশ হয় তা কোরবেন। আবার মন্ত্রী মহাশয়দের অনুরোধ কোরছি—আপনারা এর বিপক্ষে কোন মত প্রকাশ না কোরে যাতে এই টাকাটা বাঁচে তার ব্যবস্থা করতে দিবেন অথবা নিজেরা আমার প্রস্তাব গ্রহণ করে সদিচ্ছার পরিচয় দিবেন।

Khan Bahadur Maulvi FAZLUL QUADIR: Mr. Speaker, Sir, I like to oppose the motion of my friend on the following grounds:—

First, by abolition of many registration offices, Government are dragging the people from one place to another without making any sort of arrangement for the relief of their sufferings, and for the last five or six years I have never heard a single word uttered on behalf of the poor agriculturists voicing their grievrances on the floor of this House or in the Press. Thousands of people are penalized daily in coming to the registration offices from 20 or 30 miles. My friends on the other side only the other day opposed the transfer of one office to Kalkini. So before the offices of Commissioners are abolished, there must be some solution first made to meet the demands of the people. In Chittagong particularly there is a great number of Khas Mahals, and the tenants have to go to the Commissioner of that division for filing appeals against the decision of the Collectors and other Revenue Officers. So also is the case with revisional settlements. So, if the posts of Commissioners are abolished, it will be very expensive for the poor people to come to Calcutta from Chittagong and stay here and meet the expenses. This is nothing but penalizing the public. On that ground I strongly object.

The Divisional Commissioners are always the senior officers of the Government, and they have to advise and control the junior officers who are under them, to go ahead with rural reconstruction work. So for administrative purposes particularly we require the services of the Divisional Commissioners at least for some years.

Sir, there was a demand a year ago for the post of an Additional Commissioner for the Burdwan Division. If there was no necessity for the post of a Commissioner, why there was a necessity to create the post of another Commissioner for Burdwan Division? There was a

famine, and the District Magistrate could not cope with the work and the Government had to make special provisions for it. So, we find that in respect of village upliftment, improvement of industries and agriculture, and in respect of debt settlement work the help of special officers is required. Therefore, to-day we are going to appoint another officer who will have work for rural upliftment in concurrence with the Commissioner.

Next, Sir, the Circle Officers and Debt Settlement Officers will give their suggestions to the Divisional Commissioner, and the Commissioner will co-ordinate them and put up one consolidated proposal for submission to Government. So Government will get the advice and suggestions of the Commissioner, and this will be the best way to decide a measure considering all the various suggestions of the Circle Officers, and other officers within the jurisdiction of the Commissioner.

Then, Sir, if the post of the Commissioner is abolished, there will be left only one Member of the Board of Revenue to deal with revenue cases. I do not think that he alone will be able to dispose of revenue and revisional settlement cases. Again there is always some correspondence between the District Magistrate and the Commissioner, and if there is no Commissioner, all this correspondence will have to be done between the Government and the District Magistrate, and that would mean an increase in the work of Government, and increased staff will be necessary to cope with it. So I do not think by abolishing the post of Commissioners, there will be any saving. Let us first of all amend the laws connected with the Divisional Commissioners, and then we shall go on step by step. Another thing is that we have no power at present and Government cannot do anything for at least five or ten years. This seems to me simply a pious wish. This sort of pious wish is no good to the public, and I do not support it.

The Divisional Commissioner also keeps general control over all officers in his division, and he knows every officer, and in respect of promotion of Sub-Deputy Collectors, his recommendations and his opinion are very valuable. The Commissioner is doing rural reconstruction work now, and if the post is abolished, this work will fall on the District Magistrate who is already overworked, and he will want an additional Magistrate to assist him. Besides, the Commissioner has to control the budget of the District Board and the Municipalities of which he is the final authority. He also hears appeals of ministerial officers and decides them. These poor officers will not be able to approach the Board of Revenue direct.

There is another thing peculiar to Chittagong Hill Tracts. The Divisional Commissioner of Chittagong is ex-officio Sessions Judge of the Chittagong Hill Tracts. Therefore he has got some additional work to do with regard to Chittagong Hill Tracts.

For all these reasons, Sir, we want that the posts of Commissioners should be retained for the good administration of the country.

Maulvi ABDUL BARI: Sir, in response to the appeal of my friend Mr. Giasuddin Ahmed seeking for co-operation of this side of the House in support of his motion, I only beg to point out to him that so far as this motion of his is concerned, namely, the abolition of the post of Commissioner, personally speaking, Sir, I am at one with him. The object and the end is the same, but the days are different. The destination is the same, but the route is different. My friend wants to have the ripe fruit brought down, so do we; but he wants to do it by cutting at the very root of the tree which bears fruit, but we want to climb the tree, enjoy the fruits thereof before cutting the tree at the root of it. That is the difference between my friend over there and ourselves on this side.

Before speaking on the merit of the case itself, may I point out to my friend that my friend takes pride in the fact that he belongs to a party which is a very disciplined party, perhaps less disciplined than the Congress Party itself. Will it not hurt the Congress Party if some of its members on an appeal on behalf of this side go out in support of a motion which the Congress does not want? Will it not hurt my friend, Mr. Giasuddin if he finds some members of his side going to vote with the other party? Sir, herein I also ask my friends on this side to imbibe and accept the ideal of the Congress Party and of the party of Mr. Giasuddin. I eulogize them; I am really enamoured of them. Particularly, the other day when I found that Mr. P. Banarjee——

Mr. SPEAKER: I am afraid, Mr. Bari, politics of the party is not strictly relevant to this debate, and that advice you might leave to your party meeting. I think we are concerned here only with the motion at issue. You can speak generally about the matter which you have spoken, but after that it is better to enter into the subject-matter.

Maulvi ABDUL BARI: I was just going to enter into the whole of the question, but I was only appealing or responding to the appeal of my friend, Mr. Giasuddin. Mr. Giasuddin Ahmed also referred to the fact that if the members of this House did vote with him, the Islam will not be in danger. Sir, I think I am entitled to reply to that statement of Mr. Giasuddin and from the floor of this House, I may make the statement without any fear of contradiction that if really this motion be carried into effect, if this motion be carried, and if this Ministry goes out, certainly followers of Islam will be in danger. Not only is it in danger now but it will continue to remain in danger for some time more to come, and I may

tell my friend, Mr. Giasuddin, that if he has got any respect for history, if he wants to learn from the pages of history, if he wants to learn from the current politics in the country, he will learn from the course of events that are going on in the Congress provinces in Bihar, United Provinces and other provinces what atrocities are being committed by the Ministers there——

Mr. SPEAKER: Order, order. I am——

Mr. TULSI CHANDRA GOSWAMI: It is a lie.

Maulvi ABDUL BARI: It is true.

Mr. TULSI CHANDRA GOSWAMI: It is a deliberate lie.

Mr. SPEAKER: I am afraid that there is a certain amount of limit up to which discussion about the Ministry in the different provinces can be carried on. I did say last year that, while I do not want to shut out discussion, there is a limit up to which these things can be said. You are perfectly entitled to reply to Mr. Giasuddin in general terms, saying that such and such will be the fate, but I do not think the other details as to how these things are being done, are at all relevant to the subject-matter. The subject-matter is the abolition of the posts of Commissioners. An argument has been put forth by Mr. Giasuddin. I need only point out that you can generally reply as Mr. Giasuddin has generally said, but any detailed investigation into the activities of other provincial Ministers will be wholly out of place in this motion.

Maulvi ABDUL BARI: Sir, consistent with the position of this party, it won't be fair for us to support the motion of Mr. Giasuddin and whatever criticism we may offer, should be criticism on the lines of suggestions. Sir, regarding the abolition of the post of the Commissioner, I am in full agreement with my friend Mr. Giasuddin. Personally speaking of course, not for the party, I should say that the post of the Commissioner should be abolished. This has been the demand not only of the members of the previous Council, but this has been also the demand of the people outside this House. To me, Sir, it seems that the post of the Divisional Commissioner is only a superfluity. The Divisional Commissioner's post, I think in my humble opinion, is not an unavoidable necessity because of course it will be a hackneyed argument to say that the Divisional Commissioner is merely serving the purpose of a post office.

Maulvi ABU HOSSAIN SARKAR: Dead Letter Office.

Maulvi ABDUL BARI: I do not want to say that. What I want to say is this. So far as the Divisional Commissioner is concerned the Divisional Commissioner really, Sir, receives despatches from the districts and disposes of them. Of course if the District Magistrates want to communicate anything with the Government they can do it direct to the Secretaries of the departments concerned without passing through the Commissioners and thereby I think, Sir, much money can be saved. Of course the reply of the Government to this may be that if the post of the Divisional Commissioner be abolished, then the result will be that the Government will have to appoint some more Secretaries, some more assistants and things like that in order to carry on with the duties that were imposed upon the Divisional Commissioner. There might be some force in it, but still I will tell you, Sir, that still then there will be some saving because by abolishing the posts of the Divisional Commissioners Government may have the necessity of appointing some more clerks only no doubt, but even after the payment to these clerks we shall be able to save a large amount by abolishing the post of the Commissioner. Moreover it will be argued by the Government that just if you abolish the post of the Commissioner certainly the men in office cannot be driven out but they will have to be provided with some other posts. No doubt, but then, Sir, we will not have to recruit some more I. C. S. gentlemen to fill up the gaps in place of those people at present in service on their retirement. Thereby the savings will be very great and, therefore, I would request the Government to take this fact into consideration and take the suggestions of this House into consideration as the House is practically at one regarding the fact that the post of the Divisional Commissioner should go. Of course we realise, as all persons in all parliaments supporting the Ministry would realise, and reasonably realise, that the Government cannot be expected to do thing all at once, but the Government is bound to respect the wishes of the House sooner or later and particularly of the party which supports the Government. These are the suggestions of the party to which I belong and I think the Government ought not to find any difficulty whatsoever in giving effect to the suggestions that are being made by us. Of course, the difficulties of the Government will be that they will take some time, and this question was also discussed at some great length yesterday on the motion of Mr. Pramatha Nath Banerjee regarding the question of economy. This question was also discussed and the Hon'ble the Chief Minister was very much pleased to give the assurance to the House that this matter will receive the consideration of the Government. But we also want to tell the Government at the same time, that the Government must be earnest in its statement and must be earnest in its desire, and the matter should not be dealt with for a long time and we should also expect of the Government that this matter should be taken up in hand as early as possible, and perhaps even before the budget session continues, in

order to effect economy in general, not only by the abolition of the post of the Commissioner, but to effect economy in other departments of the Government also. I think the Government ought to form a Committee consisting of some members of this House, the Finance Minister and some other persons that they may desire, and allow the Committee to sit if not to-morrow, as early as possible, say in course of a week, and if it be done so, I think that will satisfy the members of this House and to say that the Government is really responding to the wishes of the party to which——

(The member having reached the time-limit resumed his seat.)

Mr. NAGENDRA NATH SEN: Sir, I rise to support the motion of my friend, Mr. Giasuddin Ahmed that the posts of the Divisional Commissioners should be abolished. The matter, Sir, is not a new one. It was discussed by the Committee over which Sir Rajendra Nath Mukherjee presided, and the unanimous report of that Committee was that these five posts of Divisional Commissioners were unnecessary and superfluous and that they can be abolished without any harm to the administration. That was, Sir, in the year 1922-23. In the latter Committee formed at a later stage which was presided over by Mr. Swan and of which Mr. Speaker was also a member, they gave us as their definite opinion that out of the five Divisional Commissioners, two at least can be reduced.

Now the same question came before the Assam Assembly during the August Session and this session also, and on account of the majority of votes recorded on both the occasions, i.e., during both the sessions, for the abolition of the post of two Divisional Commissioners the motion was accepted. Still, Sir, though I am not referring to the Assam Government, in spite of the recommendations of Sir Rajendra Nath Mukherjee's Committee and of the Swan Committee, Government still persist in keeping in office all the five Divisional Commissioners in Bengal. That shows that Government have absolutely no respect for public opinion or for the recommendations of their own Committee. In the White Book which has been circulated a few days ago, to the members of this Assembly, Government have not even given the reasons as to why the recommendations of the Mukherjee Committee or of the Swan Committee could not be taken into consideration, and translated into action. The hackneyed plea has always been that by the abolition of the posts of Divisional Commissioners the poor people will be put to some difficulty.

The Khan Bahadur just opposite to me raised the specious plea that there are many khas mahal tenants who will find it very difficult to file appeals regarding khas mahal assessment, and so on and so forth. I think that plea need not require much examination to be at once rejected. There is the provision of sending appeals to the Board

of Revenue by post, and if that procedure is adopted, it will give much relief to the poor people for whom the Khan Bahadur pleads. Then, Sir, he has said that in Chittagong the Divisional Commissioner has also got appellate jurisdiction. Sir, no more absurd plea was given for the retention of the post of a Divisional Commissioner than this. This is a pernicious system which admits of an administrative officer to sit in judgment over judicial matters. For the Divisional Commissioner to sit as an appellate court both in criminal and civil matters is a thing which might have been thought of in the last century, but it is quite an anachronism to think that in the year of Grace 1938 any man can with any sense of propriety urge that the posts of Divisional Commissioners should be retained, simply because the Divisional Commissioner enjoys the power of deciding questions affecting the life and death of the subjects of His Majesty the King. The sooner the executive and judicial functions of the officers under the Crown are separated, the better it is for the tenantry. That is a thing for which the Congress has been urging from the year 1885 and that was the question which agitated the minds of the people and also of Government even before that. It has been stated that in times of famine the Divisional Commissioner may go to the spot, and if there is any complaint against the District Officer the Divisional Commissioner may hold an enquiry. If that is the case, if that is the reason for the retention of the posts of Divisional Commissioners, there might still be many arguments against the retention. But in the Assam Assembly the reason given was that if the posts of Divisional Commissioners are abolished, a number of officers, e.g., Personal Assistants, Peshkars, Sheristadars and other ministerial officers would be thrown out of employment. Sir, do the people exist, for these persons, or do these persons exist for the people? That is a question for which I wait for an answer from the Hon'ble Ministers. It has been stated by Mr. Giasuddin Ahmed, the mover of this motion, that if the posts of Divisional Commissioners are abolished, there can be a saving of nearly Rs. 4,00,000. My friend, Maulvi Abdul Bari, has given his general consent to the motion. The reasons that he has given, Sir, are entitled to the greatest respect, but, at the same time, I must say to honourable members of this House that the plea that Islam would be in danger if the Ministry resigned was no plea at all, and I wish he had not said that.

Maulvi ABDUL BARI: Sir, I did not say that. It was Mr. Giasuddin Ahmed who said that.

Mr. NAGENDRA NATH SEN: Sir, there can be no more incorrect plea than that Islam owes its continued existence to this Ministry alone. Islam is very strong: Islam has immense power; it has followers all over the world; and it counts as its followers crores

and crores of human beings, and Islam is quite independent of the existence of this Ministry or that Ministry or, for the matter of that, any Ministry, at all. (Cries of "Hear, hear" from Coalition Benches). Sir, everyone has the greatest respect for Islam. Although we are Hindus, we do not cherish any ill feelings against any religion, and we may say that it is very derogatory to the dignity of Islam for anyone to say that Islam would be in danger if a particular Ministry resigned.

Then during the last famine in Khulna in 1937, we knew that a certain officer was appointed as a Special Commissioner for giving relief to the distressed people—Government would never admit that there was a famine in the country,—of Khulna, Bankura, 24-Parganas and Hooghly. But the question is whether the same thing could not have been done by the District Officers themselves. The District Officers are men on the spot, whose suggestions and opinions are given the greatest value in times when they are in opposition to the public opinion, and Government find it necessary to flout the public opinion. In times of distress or famine, the District Officers are entitled to know better than an officer newly appointed how to solve the problem of relieving the distress, and so the argument that Divisional Commissioners are necessary in those times does not hold any water as well. It is then stated that Divisional Commissioners are expected to visit district offices once a year and the subdivisional offices once in every two years. Sir, I would very respectfully submit to members of this Assembly to consider whether the plea that Divisional Commissioners inspect the subdivisional offices only once in two years is a plea which can at all be maintained for the retention of these highly paid officers. There are District Officers; there are audit officers; and there are a number of other officers who visit the subdivisions at times, and I think that District Officers are sufficiently well off in giving more periodical visits to the subdivisional offices, and that will undoubtedly have more effect than a single visit by the Divisional Commissioner once in two years can possibly have.

(The member having reached the time limit resumed his seat.)

Mr. SHAH ABDUR RAUF: Mr. Speaker, Sir, I notice that a member of this Assembly has taken it into his head to move for the abolition of the posts of Divisional Commissioners. It is a very very long and old question and perhaps the origin dates back to 20 years before. Sir, this question has been agitating the minds of the members of the Legislature for a pretty long time but I wonder how many of the members of this House and of the old Council who urged for the abolition of these posts really considered whether the post of a Divisional Commissioner was an absolute necessity or not. The question whether the posts of Divisional Commissioners should be abolished or not has

been worrying us so long yet we do not care to look for ourselves and examine the question whether those posts should be abolished or not. Sir, I have heard speeches in this Assembly since I came here that the posts of Divisional Commissioners should be abolished. These Divisional Commissioners sometimes called conduit pipes and post offices and all that. But my friends who say those things, have they examined really whether these so-called post offices have got nothing to do except what the post office does? We know by experience that inspection is required in all work: without inspection no thorough work could be done. There are District Magistrates and their work is inspected by the Divisional Commissioners. Now, if you take away all these posts who will supervise the work of the District Magistrates and try to put a check on the illegalities and other things sometimes committed by some of the District Magistrates.

Mr. ABU HOSSAIN SARKAR: They are above all wrongs.

Mr. SHAH ABDUR RAUF: My friend says that District Magistrates are above all wrongs. To that I have got no quarrel.

Now, Sir, since last evening I find that hon'ble members have taken shelter under the Swan Committee's report when talking of retrenchment and they have been heckling the Cabinet with the White Book, which was supplied to us by the Cabinet for our information. The Swan Committee never uttered a single word about the abolition of the posts of Divisional Commissioners. This report is very much valued by us because we refer to it whenever we talk of retrenchment. How is it that the Swan Committee did not think it necessary to recommend that all posts of Divisional Commissioners should be abolished? Personally I may say that I am not well posted with facts to say that these posts should be abolished. I know that Commissioners do inspection work and they also supervise the work of the local bodies, such as district boards, local boards, etc.

Mr. ABU HOSSAIN SARKAR: They also recommend titles.

Mr. SHAH ABDUR RAUF: About titles I know nothing as yet.

Now, Sir, we have got police officers in every thana and I believe, for every 7 or 8 thanas, there is one Inspector to check their work. So exactly as the Police Inspectors check the work of Sub-Inspectors in thanas, these Divisional Commissioners check the work of the District Magistrates.

My friend, Mr. Giasuddin Ahmed, has said that the money that will be saved by the abolition of these posts of Commissioners may profitably be utilised for provision of primary education throughout the province. It is true, but to run the administration certain posts are indispensably

necessary and certain costs will have to be met if administration is to be run properly. Here we have got a democratic Government and we have to go by the opinion of the majority and our Ministers are popular Ministers: they are better posted with facts. This question has been agitating the minds of the members of this House for a pretty long time and the Cabinet know it full well. I am sure that the Cabinet will devote their earnest attention to this question, and if they find that these posts should be abolished, they must come forward with proposals to that effect. But it is not for us to abolish the posts, we can at best recommend for abolition and it is for the Secretary of State to decide whether they should be abolished or not. The present Government is not bureaucratic Government. It is a democratic Government, and the Ministers are looking into the question and if they really find that the posts should be abolished they will abolish them. We must have that much confidence in the present Cabinet; and I do not know why we should not have that confidence in them. If really we have not got confidence in the present Ministry, instead of attacking them in this way we should bring in a motion of no confidence.

My friend, Mr. Giasuddin Ahmed, mentioned about primary education. I am quite sure that primary education has not gained wide publicity throughout the length and breadth of Bengal because of our own fault. When we are talking of primary education, we know there are schools already and that primary education is in a way free although not compulsory. Those who talk of primary education have not cared to go to villages and ask the villagers to send their boys to schools.

I think, Sir, the members of the Congress benches talk very much about mass illiteracy and shed tears—I suspect, crocodile tears—for the improvement of the masses. Did the Congress start any movement of any kind to establish schools to teach people and drive away illiteracy from the land? They have not I have talked about this matter many times. Government have not done anything in the way of spreading primary education. At the same time, the Congress, an organised body of India, have failed to do anything to spread primary education. However, this is not the occasion to dilate on this point any further. I must stop for the present: but when occasion arises I will show that Government are as much to blame as we are, because we do not sincerely try to drive away illiteracy from the land.

I do not like to take any more time of the Assembly. With these words I strongly oppose the motion of my friend, Mr. Giasuddin Ahmed.

Mr. M. SHAMSUDDIN AHMED: In rising to lend my whole-hearted support to the cut motion that has been moved by my friend, Mr. Giasuddin Ahmed, I do not want to tread upon oft-repeated expressions that have been used in this House. I remember, when I attended

as a visitor in the old Council, the speech that the Hon'ble Chief Minister delivered on an occasion in favour of the abolition of the Commissioners' posts saying that they were mere post offices. In the old Council proceedings, the other day, I also looked to a speech of Mr. Nalini Ranjan Sarker now Hon'ble Mr. Nalini Ranjan Sarker. I found therein that he mentioned the posts of Commissioners as a fifth wheel to the coach and also as post offices.

Then, Sir, my friend, Mr. Abdul Bari, has waxed eloquence. Him I do understand. I read in my college days the story of the school master in the "Deserted Village"—"though vanquished, he could argue still".

Maulvi ABDUL BARI: I will never be vanquished.

Mr. M. SHAMSUDDIN AHMED: I know you could never be vanquished.

My friend, Mr. Bari, has said that his heart is with us; but unfortunately, for reasons unknown to us, his fleshy body is somewhere else. I very much welcome his heart and I sympathise with him. I hope some day his body also will be with us. Now, that is a precursor; when we have conquered his heart, some day we will conquer his body also. That shows the force of the argument that has been put forward from this side of the House.

Then, Sir, times without number, this bogey of "Islam in danger" has been raised on the floor of this House. I know we are under the British rule. I know also that the Britishers are still ruling strong, and before the last British Tommy leaves the shores of India, we realise that Britishers will rule strong. When this country was conquered from the Muslims in 1757, if then Islam was not in danger; how then the coming in and going out of this Ministry or that Ministry can put Islam in danger. The bogey of Islam in danger has been raised on the floor of this House, but the less said about it the better for all concerned, not only for members of this House but also for those illiterate people who do not understand what real Islam is.

The Hon'ble Mr. A. K. FAZLUL HUQ: On a point of explanation, Sir. Who was it that said that Islam was in danger? The word "Islam" was never used. My friend Mr. Nagendra Nath Sen has unnecessarily brought in the word "Islam".

Mr. M. SHAMSUDDIN AHMED: It was Mr. Abdul Bari who said that Islam was in danger. (Cries of "no, no.") No amount of shouting will do. The Speaker is there. The Chief Minister was not here. I

might remind Mr. Suhrawardy that the Chief Minister was not present here when the question of Islam in danger was raised by Mr. Abdul Bari. He was trying to explain that by the going out of this Ministry from office, the Islam would be in danger. I am sorry that the Hon'ble Mr. Fazlul Haq was not present here, but Islam will survive in spite of all onslaughts from this side or that side. My friend Mr. Abdul Bari may well read the verses of the Koran where it says: And do not speak of those who are slain in Allah's way as dead; nay (they are) alive, but you do not perceive. And we will most certainly try you with somewhat of fear and hunger and loss of property and lives and fruits; and give good news to the patient. Shame to those——

Mr. SPEAKER: Mr. Shamsuddin, I do not certainly like to interrupt you in the midst of your speech. I must say that the argument which you have just adduced is wholly irrelevant. Please go on

Mr. M. SHAMSUDDIN AHMED: I was citing a verse from the Koran.

Mr. SPEAKER: I think it will be safe for everybody in this Assembly if the Koran is left out. You can discuss the question on the ground of political considerations that have been brought forward.

Mr. M. SHAMSUDDIN AHMED: If the Koran is left out what remains of Islam then. My friend Mr. Abdul Bari has said that he also wants to abolish the posts of Commissioners. I want to know what this Ministry which has been in office for a year has done? The Ministry could have declared its programme and that it is going to take up and that the Ministry will make recommendations (I know the limitations under the Government of India Act but nobody can prevent the Ministry to send a recommendation) to the Secretary of State for the abolition of these posts. We will be with the Ministry in this matter, but if we stand in its way we might be held responsible. But nothing has been done. We do not know what the Ministry is going to do. At the time of the election some of the present Ministers gave pledges that there would be a curtailment of expenditure so far as the general administration is concerned. I do not know if anything has yet been done in that direction.

This is one particular item which we are putting forward to all the members of this House, and if the Ministers accept this motion and if they want to abolish the posts of Commissioners they can recommend the abolition of these offices to the Secretary of State and when his

sanction is received action may be taken. With these words I support the cut motion that has been moved from this side of the House.

Mr. SPEAKER: I think it would be better not to continue the discussion any further now. I propose to adjourn the House for 20 minutes and after adjournment I would call on Sir Bijoy Prasad Singh Roy to reply.

(The House was then adjourned for 20 minutes.)

(After adjournment.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: To my mind this important question involves three points which should be considered in coming to a decision on it. Firstly, the question is whether the abolition of Commissioners will mean a real retrenchment or saving. Secondly, if it is decided to do away with the Commissioners what system is going to be substituted in its place, and thirdly, whether Government can or should come to a decision without a thorough and careful examination of all these points. These, Sir, are the three important points involved in this question now before the House.

Hon'ble members are quite familiar with the history of this ancient institution, namely, the Commissioners. The post of Commissioners was created as early as 1829, when the Governor in Council was directly responsible for the administration of the province. Commissioners were the local agents of the Governor in Council with judicial and administrative powers. They had to use considerable discretion in those days when the laws and rules were not codified, when communications had not developed and when the whole administration of the country was not so well organised and placed on so sound a basis as at present. Now the proposal for the abolition of Commissioners was first considered in 1908, by the Decentralization Commission, and the Decentralization Commission, after carefully going into the whole matter, recommended retention of these posts. The matter was again taken up on the introduction of the Montagu-Chelmsford Reforms in 1921. There was a non-official resolution moved by my late lamented friend Mr. Surendra Nath Mallik. On the motion of the late Mr. S. R. Das, a committee was formed to go into the question. The Committee examined the matter but did not submit a final report because the Mukherjee Retrenchment Committee was then sitting. The Mukherjee Retrenchment Committee went into this question and recommended the abolition of the Commissioners. (Hear, hear.) Government, however, could not accept this recommendation of the Committee and the reasons are well known to the members of this House and to the public. This question was again taken up when Government was faced with

serious financial difficulties in 1932. The Swan Retrenchment Committee again went into the question. You, Sir, were a member of this Committee and the Committee realised the difficulties of the total abolition of the Commissioners and suggested that two out of the 5 Commissioners might be abolished. Government, on a very careful consideration,—I am speaking, Sir, from personal knowledge,—could not accept the recommendation of the Swan Retrenchment Committee also in 1932. Now, Sir, the present Government are again faced with the same proposal. I can assure the hon'ble members that the present Government have an absolutely unbiased mind and they will not be influenced by the decisions of the previous Government. But they will decide this question purely on two issues, namely, whether the abolition of Commissioners can be justified on financial grounds, or whether by abolition of Commissioners there is going to be any substantial saving or not, and secondly, if the Commissioners are abolished what system is going to be substituted in its place? Those who advocate the abolition of the Commissioners always point to the example of Madras. (RAI HARENDRA NATH CHAUDHURI: None in this House has done so.) In Madras there are no Commissioners, but there are 4 Members of the Board of Revenue. Even if it is possible to abolish Commissioners in this province, at least 4 Members of the Board of Revenue will have to be appointed to take up a part of their duties. Sir, all the duties of the 5 Commissioners cannot be transferred to the Members of the Board of Revenue. The duties are large and varied. They are partly judicial and partly administrative. Also there are certain duties which are statutory. There are altogether nearly 629 duties of the Commissioners, and if the posts of Commissioners are abolished even the Swan Retrenchment Committee or perhaps the Mukherjee Retrenchment Committee (RAI HARENDRA NATH CHAUDHURI: The Swan Committee)—admitted that nearly 270 or 280 duties would have to be transferred either to the Board of Revenue or to the Secretariat, which would involve additional expenditure both on the pay of the additional members and on the staff. So the primary consideration in this matter is the financial. The total expenditure under the head "Commissioners" is Rs. 4,26,100 of which Rs. 1,95,000, charged, represents the pay and allowances of the Commissioners and Rs. 2,38,800 is voted, which is the expenditure on the staff of the Commissioners. Sir, if all the Commissioners are abolished, we shall have to appoint 3 additional Members of the Board of Revenue to take up their duties, and what will these 3 additional Members cost? They will cost nearly Rs. 1,24,000. So out of Rs. 1,95,000 on the pay of the Commissioners Rs. 1,24,000 will go towards the pay of the additional Members of the Board of Revenue. Sir, it may be said that still there will be a saving on the pay of two Commissioners; not quite so, because these Commissioners are members of the Indian Civil Service and they cannot be simply served with a notice to quit. They will at best revert as senior Collectors, that is, each of them will be drawing a

pay of Rs. 2,250 a month. That means about Rs. 54,000 a year. So, whatever saving might be possible will disappear. The net saving on the pay of the Commissioners might be about Rs. 7,000. But I venture to submit that even that is not possible. Because a large portion of the administrative duties of the Commissioners will have to be transferred to the Writers' Buildings, which means the appointment of at least one additional Secretary and probably one Assistant Secretary.

Then comes the question of the cost of the staff of the Commissioners. The district staff will have to be strengthened if some of the duties of the Commissioners are to be transferred to the Collectors. The pay of the clerks in the district offices is lower than the pay of the clerks in the Commissioners' offices. Some of their duties will have to be transferred to the Board of Revenue and the balance to the Secretariat. The scales of pay of clerks in the Secretariat and the Board of Revenue in Calcutta are higher than the scales of pay in the Commissioner's office. That is because of the higher cost of living in Calcutta. So, if we analyse these figures it comes to this that there may or may not be any saving by the abolition of the posts of Commissioners. So that disposes of the financial justification for the proposal.

Then comes in the question whether on administrative grounds Government would be justified in doing away with the Commissioners. Sir, it is well known that the Commissioners are the most important link between the Government at the centre and the district administration. They are the advisers of Government as well of the District Officers. All the District Officers are not always senior and experienced men. They require, and they have to depend on many occasions on, the guidance of experienced officers like the Commissioners. Similarly, Government also have to depend for information and advice on the Commissioners. If there is a famine, if there is a cyclone and if there is a flood, it is the Commissioner of the Division to whom Government look to for supervision of the relief operation. I can give an instance to my hon'ble friends. When there was a cyclone in Noakhali in last October, the moment I received the information at Darjeeling I sent a wire to the Commissioner of the Chittagong Division and asked him to go at once to Noakhali to hold a personal inspection of the situation and to report to Government as to what steps should be taken for giving relief to the people. The reports and information that Government receive on similar occasions from experienced officers like the Commissioners are extremely valuable and, in my opinion, indispensable.

The Commissioners, as I said, have judicial functions. Under certain statutes, viz., the Cess Act, the Partition Act, the Revenue Sales Act—they are the judicial appellate authority. My friend over there suggests why not transfer those duties to the Board of Revenue.

But he ought to know that there is a second appeal in most of these cases in the Board of Revenue——

Mr. SPEAKER: Your time is up. Would you finish your speech soon?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I shall finish in two minutes' time.

Government consider that it would be most unfortunate to do away with the Commissioners without a very careful examination of the whole question and without taking into account the effect of such a step on the administration of the country. If the high standard of efficiency of administration has to be maintained, there should be Commissioners to inspect the district offices. Unless the offices are inspected from time to time, efficiency is bound to deteriorate, and I sound a strong note of warning to the members, who, I am sure, are as much anxious as I am or as any member of Government to maintain the high standard of administrative efficiency.

The Hon'ble Mr. NALINI RANJAN SARKER: Sir, the mover of the resolution has among other reasons emphasised economy as his object in view. But I beg to submit that immediate economy cannot be effected by accepting the motion of my friend Mr. Giasuddin. As you all know, by passing a resolution in this House we cannot dispense with the services of the Commissioners, because under the Government of India Act the posts of Commissioners are reserved posts over which the Secretary of State only can exercise control. And if there is to be any modification in the cadre of Indian Civil Service rank, the Secretary of State will have to be moved through the Governor General under section 244, sub-section (*4*). Sir, we assumed office only a year ago and before the inauguration of the new Constitution the matter of emolument and strength of the cadre of the Indian Civil Service was opposed by every nationalist in India. But in spite of that opposition, under the Government of India Act these posts have been reserved. So unless and until we can make out a strong case for negotiation with the Secretary of State through the Governor General even at this stage would be useless. So far as economy is concerned, we cannot get any real economy unless and until the Commissioners' posts can be abolished so that we shall not have to pay the salaries of the Commissioners at all, abolition of the staff of the Commissioners will not also give us any substantial savings, because, as Sir Bijoy has pointed out, the Commissioners are doing various work for the last few years' for which some staff will be necessary either in the districts or in the secretariat.

Mr. SASANKA SEKHAR SANYAL: When Mr. Banerji, in the course of a speech, referred to what Sir Bijoy and Sir Nazim had said on a previous occasion, you, Sir, ruled him out of order. Can the Hon'ble Minister refer to the speech of Sir Bijoy, as he has just done?

Mr. SPEAKER: First of all, I must say you are not correct in the first part of your statement as regards names of certain Ministers, and I think you are also not in order about second part of your statement.

The Hon'ble Mr. NALINI RANJAN SARKER: If the House accepts the motion of Mr. Giasuddin Ahmed, the duties of the Commissioners will have to be distributed among some other persons, and this will certainly entail expenses. So, by immediate acceptance of Mr. Giasuddin Ahmed's cut motion, it would not be possible to obtain sufficient resources for financing the primary education scheme as suggested by him. My friend, Mr. Shamsuddin, has said that I myself also expressed opinion against the Commissionership. I admit I have done so. Mr. Shamsuddin knows that in an irresponsible position many things can be said, which cannot be given effect to at once without heed to other considerations that the responsibility of office entails upon one. (Hear, hear, and laughter from Congress Benches.) I have no time, otherwise I could have explained from even the events of Mr. Shamsuddin's political career that it is not always possible to be consistent. But, Sir, I do not say that I have changed my opinion. I say that such higher grade officers and in such numbers are not necessary, but in spite of that and in spite of all our opposition, the Secretary of State has provided in the Act that their number should be such and such which at our sweet will we cannot reduce. When time comes certainly we shall fight for the reduction of the cadre of the Indian Civil Service and their remuneration, but to do that we shall have to make out a strong case from the facts of our experience. Merely to send a resolution with the arguments put forward in this House, I do not think will be sufficient to achieve our goal. And in this connection, Sir, I may say that it is not this Government alone which is maintaining this attitude. There are other provinces where there are Commissioners and their salaries and establishment have been provided for in the Budget. Sir, Bombay has got three Commissioners and their full salary and establishment have been provided for in the Budget. Punjab has got five Commissioners, and their salaries, emoluments and staff have also been provided for in the Budget. The Central Provinces have got four Commissioners and their salaries and emoluments have also been provided for in their recent Budget. The United Provinces with 48 District Magistrates have 8 Commissioners and their full emolument and staff have been provided for in their Budget.

Mr. M. SHAMSUDDIN AHMED: Therefore you must have.

The Hon'ble Mr. NALINI RANJAN SARKER: It is not a question of "therefore". They are also right, and I do not think even the Opposition Bench will challenge their attitude, because they feel that within one year it is not possible merely by passing a resolution to get a section of the Government of India Act changed. They will fight out in their own time. In the White Paper proposals which preceded the passing of the Government of India Act, provision was made that after five years, an enquiry will be made as to whether the cadres should be such as they are to-day, or there could be some modifications. But in the Act they have not given any time-limit. They say that the Governor General when he is convinced, can negotiate with the Secretary of State. In proper time, we can assure the House we shall do our best for abolition or reduction of these reserved posts, and I am sure our experience would give us enough material to build our case on. Merely by saying that we want to reduce it, nothing can be effected. If we want to take it up seriously you must make it an all-India issue and fight it by Civil Disobedience. But I do not think, that the issue is big enough to justify recourse to such step at this stage. It is not a new question. We do not want the Indian Civil Servants in such numbers, and we do not want them on such high emoluments. All these things were before the public, and it was fought, but with no result, because the Secretary of State has provided for them in this Act. Therefore, when time comes I can assure the House that we shall do our best to get these things changed, and as I said yesterday, for all retrenchment proposals, we shall have a Conference of some of the representative members of this House, and we shall put our proposals, and get their suggestions, and afterwards we shall arrive at our decision as to how we shall act in the matter.

The Hon'ble Mr. A. K. FAZLUL HUQ: May I have two minutes' time, Sir, to bring to the notice——

Dr. NALINAKSHA SANYAL: On a point of privilege, Sir (Cries of "sit down" "sit down" from the Coalition Benches). May we have the privilege of another speech from this side before any Hon'ble Minister speaks. It is a very important question, and three Ministers are going to speak. Will you give us another chance to put forward further points in this connection?

Mr. SPEAKER: I am afraid not. You will remember that I am not putting it on the ground of the Ministry. I have always given, throughout the time I have been in the Chair, the Leader of the House

and the Leader of the Opposition due consideration whenever they wanted to speak without question.

Dr. NALINAKSHA SANYAL: Two other Ministers have already spoken.

The Hon'ble Mr. NALINI RANJAN SARKER: We are also members of the House.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I will not take more than a couple of minutes. In the year 1907 when the Decentralisation Commission considered this question in all its aspects, I was a member of the Bengal Civil Service, and I was on special duty with the Commission now 32 years ago. I remember, Sir, public opinion was invited on the question of the abolition of Commissioners, and I remember also—it is a matter of record—that all the Bar Associations, all the prominent leaders and lawyers in the country opposed the proposal of the abolition of Commissioners. The reason is very obvious. At the present moment, people have got two very valued statutory rights,—the right of appeal on facts to the Commissioner, and then the right of appeal on points of law to the Board of Revenue. If you take away the intermediate Commissioners, the position becomes this, that people will have to appeal from orders of the Collector to the Board of Revenue on facts, and the next right of appealing to a superior body on a point of law will be taken away. The pleaders who were consulted thought that it would be a curtailment of the rights of the people. That is the position, Sir. What Government will do is to examine the question in all its aspects, consider the effect of the abolition of Commissioners, and whether an intermediate machinery can be set up, or those duties can be allocated to other officers without the curtailment of the rights of people. When all this is done, and an alternative scheme is made out, Government will only be too ready and willing to undertake action on the lines suggested provided that is real economy. We do not shut out all prospects of a review of the question, but the motion as at present has been put forward is one which Government cannot accept, because it is mandatory without the consideration of the consequential outcomes. Therefore I not only beg to oppose this motion, but also ask my friends not to support it, because the motion as it stands would make a very awkward situation for which effect cannot be given immediately.

Mr. NAGENDRA NATH SEN: On a point of information, Sir, Will the Hon'ble Minister enlighten us where is the law which debars the Board of Revenue to enter into questions of fact?

Mr. SPEAKER: That is a question of detail.

The motion of Mr. Giasuddin Ahmed that the demand for Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 2,30,800, being then put, a division was taken with the following result:—

AYES

Abdul Hafeez, Khan Bahadur Syed.
Abdul Hakim, Maulvi.
Abdul Majid, Maulvi.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Aftab Ali, Mr.
Azimuddin Ahmed, Mr.
Bannerjee, Dr. Suresh Chandra.
Banerjee, Mr. Pramatha Nath.
Banerjee, Mr. Sibnath.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Bannerjee, Mr. Manoranjan.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakraborty, Mr. Narendra Narayan.
Chakraborty, Mr. Jatindra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Mr. Mahim Chandra.
Das, Mr. Radhanath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Mr. Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deisi, Mr. Narendra.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Mafizuddin Ahmed, Dr.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mazumdar, Mr. Birendra Nath.
Mal, Mr. Iswar Chandra.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Meekerjee, Mr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Basanta Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Manindra Bhusan.
Thakur, Mr. Pramatha Ranjan.
Yousuf Mirza.

NOES.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz Mia, Mr.
Abdul Hakeem, Mr.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar Patwari, Mr. Md.
Abdul Kader, Mr.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Maulvi.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.

Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur.
Abul Hashim, Maulvi.
Abul Hossain, Mr. Ahmed.
Abul Quasem, Maulvi.
Attab Hossain Jeardar, Maulvi.
Ahmed Ali, Khan Sahib Maulana Enayetpuri
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Akhtaruddin Ahmed, Khan Bahadur.
Aminullah, Maulvi.
Amir Ali, Md. Mia.
Anderson, Mr. J. P.
Armstrong, Mr. W. L.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Bannerman, Mr. H. C.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Campbell, Sir George.
Chippendale, Mr. J. W.
Crosfield, Mr. L. M.
Das, Mr. Anukul Chandra.
Das, Mr. Kirit Bhusan.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Ferguson, Mr. R. H.
Giasuddin Ahmed Chowdhury, Maulvi Al' Haj.
Golam Sarwar Hossini, Mr. Shah Syed.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur.
Hasina Murshed, Mrs.
Hatemally Jamadar, Khan Sahib.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Homan, Mr. F. T.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur.
Jasimuddin Ahmed, Mr.
Kennedy, Mr. I. G.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Sirat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ismail, Maulvi.
Muhammad Siddique, Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Putta Behary.
Musharuff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Kasimbazar.
Nasarullah, Nawabzada K.
Nausher Ali, the Hon'ble Mr. Syed.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Norton, Mr. H. R.
Patton, Mr. W. C.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ray Choudhury, Mr. Birendra Kishore.
Ross, Mr. J. B.
Roy, Babu Patiram.
Roy, the Hon'ble Sir Bijoy Prasad Singh, Kt.
Roy, Mr. Dhananjoy.
Roy, Rai Bahadur Kshirod Chandra.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Mr. Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. H.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahbuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khandkar, Mr.
Singha, Mr. Kshetra Nath.
Sirdar, Mr. Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, Maulvi.
Tapuriah, Rai Bahadur Moongtu Lall.
Tofel Ahmed Choudhury, Maulvi Haji.
Wahur Rahman, Maulvi.
Walker, Mr. J. R.
Walker, Mr. W. A. M.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 73 and Noes 136, the motion was lost.

Mr. SPEAKER: I now call upon the Coalition Party to move their cut motions.

Point of order regarding privilege of initating Budget discussion.

Dr. NALINAKSHA SANYAL: Before you call upon the Coalition Party, Sir, may I know your ruling on the question that I raised yesterday about the right and privilege of the opposition in initiating cut motions. If that is accepted by you then I claim that we have two more cut motions approved by you in the original list out of 4. Will you kindly give us an opportunity to move these first?

SPEAKER: Dr. Sanyal, it is such a serious question that I think I shall not be justified in giving a decision finally without having a discussion with the leaders of the different groups. For the time being, I am following the procedure which we followed last year and which was adopted in consultation with the leaders of the different parties.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, according to the arrangement entered into between you and ourselves we were given a chance to move 4 cut motions on General Administration and we were assured that we would be able to move these 4 cut motions. Now as the time is almost expiring my friends behind me are naturally very restive that they are not to have the chance that was assured to them.

Mr. SPEAKER: Mr. Goswami, I think you are mistaken. What I said was that I would follow the procedure which I followed last year but in the mean time I am quite prepared to have a discussion round the table in my Chamber, say, on Monday.

Mr. TULSI CHANDRA GOSWAMI: In that case, Sir, the principal opposition group will take its stand on the well-known Parlimentary convention that we should initiate all cut motions, and it is our privilege, an undoubted privilege. But we wanted to accommodate other parties very gladly and the agreement is a matter of concession in my opinion. If we are debarred from having a fair share in the cut motions it will be our painful duty to insist on our right.

Mr. SPEAKER: What are your other motions?

Dr. NALINAKSHA SANYAL: We have two motions—one of Mr. Rasik Lal Biswas regarding nomination of members of local bodies and indifference and inaction in respect of public demands, and the other of Mr. Atul Chandra Kumar regarding certain economy.

Mr. SPEAKER: According to the principle which was followed last year cut motions were distributed among the different groups,

always giving priority to the opposition. I gave priority to the opposition by placing 3 cut motions of theirs first in the list but I felt that I would not probably be justified in ruling out all other parties, The effect of my giving 5 cut motions to the Congress group would be ruling out other parties. Even then I would have been prepared to consider it if I could understand that that was the desire of the opposition in general. I do not want this to be taken as a precedent in future but for the time being in view of the fact that the agenda has been prepared and distribution has been made already I will stick to it. I shall, however, be glad to discuss the matter with the Leader of your party and settle it for the future.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, I really could not follow the discussion. Is it your ruling that the agenda which was prepared with our consent, namely, that we shall initiate 4 cut motions will stand, or the agenda abrogating it will stand? It is the undoubted right of the opposition to initiate cut motions during budget debate. Government never proposed any cut motion, nor do they initiate any. That is the rule and well-known Parliamentary practice but in this House as there are other parties, namely, the Proja Party who are in the opposition but who do not belong to the Congress Party, we gladly agree to accommodate them to initiate some of these cut motions. But we now find that you are pleased to allot 4 cut motions to the Congress Party, out of which 3 have already been moved and there is another motion which the Congress Party are entitled to move and they are entitled to do so before the Proja Party move theirs. May we have your permission to move the 4th motion on our side? As regards the Coalition Party they have no right to initiate cut motions.

Mr. SPEAKER: Perhaps your leader, Mr. Bose, will support me that last year by an agreement we devised a procedure and I was following exactly the same procedure. For example, on General Administration last year I allowed the Congress Party to move two cut motions first, then the Coalition Party, then the Scheduled Castes and then again the Congress Party. This year also I followed exactly the same procedure and I have gone a little further than that, and instead of giving two cut motions to the Congress I gave three cut motions to the Congress this year. I hope Mr. Gupta will realise that the question of convention in a matter like this does not lie entirely in the Speaker's hand. It is the right of individual members to give notice of cut motions and you will remember how this time I attempted to get cut motions on party lines but members of some of the parties did not agree. The convention you are suggesting is only possible if the parties agree between themselves in moving motions on party lines. That being so, I do not want to enter into a discussion now as it will

require a discussion round the table. I do not deny that it is really a Parliamentary convention and in a democratic constitution it is the opposition or the parties who are in opposition who initiate any discussion. I accept the principle, but unfortunately our country has not yet developed that Parliamentary democracy which is essential. My difficulty comes in because here members want to move on individual lines. I am quite prepared to follow the practice if the parties come to an agreement. But till they come to an agreement, if you insist on your right, I find that I cannot by any law or rule force this House to a decision of giving priority to your motions only without agreement between different groups. In the Central Legislature this is done by agreement. I fully realise what you say and I have every sympathy with you. But for the time being I do not think I should give a ruling till this matter is discussed round the table.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, as you have in your ruling referred to me, I would desire to remind you and the House that last year it was generally agreed that it was the inherent right of the Opposition to initiate discussion on cut motions. As, however, it was the first Budget session, we really did not insist on our strict right, but allowed matters to take their own course without, of course, prejudice to our future right. I made this point clear at the meeting that was convened last year in your room. This is the second Budget session and I think it is time for the Opposition to insist on their strict rights. After all when the Opposition demand that their cut motions should be taken up in preference to those of the Coalition Party it hardly needs any arguments to support it because the Coalition Party is the Ministerialist Party and a cut motion from that Party is nothing but a misnomer; and, as such, it ought not to be allowed to have preference over that of the Opposition. I do, therefore, insist on my strict rights. I do not mean any reflection on the Ministers, but I must say they have taken an unnecessarily long time by speaking on the previous motion. That being so, they themselves ought to give place to the Opposition. In these circumstances, I submit that our cut motions may be taken up in preference to those of the Coalition Party.

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not want to go into the merit of the question because it is proposed to be considered round a table. For the present I may point out to the leader of the Opposition that there can be two kinds of cut motions—a cut motion for opposition and a cut motion for raising a discussion on an important question of public interest. I do not see any reason why merely because a member from the Coalition Party wants to move a cut motion he will be deprived of the valued right of initiating a discussion At the present moment I am asking you to allow Maulvi Abdul

Wahab Khan to move motion No. 36B in preference to the motion of Maulvi Abdul Bari which comes next in order of precedence. The motion of Maulvi Abdul Wahab Khan raises a discussion on the desirability of bearing 50 per cent. cost of chaukidari establishment out of the provincial revenues. I am sorry, I am told, that I made a mistake. Motion No. 2 that stands in the names of Mr. Yusuf Ali Choudhury, Al-Haj Maulana Dr. Sanaullah and others, was decided in the Party meeting to have preference. So that comes naturally immediately after this.

Mr. SPEAKER: For the time being, as I have said, I do not make any decision on this point. Mr. Gupta will probably remember that the whole arrangement of sending notices of Party motions about which I sent a table fell through, and I was working on the principle which was followed last year. As a matter of fact, I spoke to you that the last year's arrangement was two Congress, one Coalition, then Scheduled Castes, then Proja and the Nationalist Party. If any other arrangement is proposed, it is entirely for the different patries to arrive at a decision on that. So far as the Standing Orders are concerned, the only alternative will be for the Speaker is to hold a ballot and fix the motions accordingly or to follow the previous practice. But because the leaders agreed to an arrangement which was suggested by me, viz., that we should develop the convention of giving the Opposition the right to initiate a debate, that right to initiate debate was given last year and, I am following exactly the same principle this year by allowing the Opposition to move three motions, instead of two of last year. But, if this arrangement is such that it in any way jeopardises the development of the right of the Opposition, I would be quite prepared to discuss this matter round a table. But for the time being, I cannot postpone the debate and I will have to go on according to the present time-table.

Mr. SARAT CHANDRA BOSE: When you circulated the budget programme this year and put down the number of cut motions to be moved by the Congress Party at 4, it certainly gave me the impression that you accepted the demand which I made on behalf of the Party last year. I certainly did not understand that before these four motions were finished, other motions would be taken up I would certainly insist on the right that the four cut motions of the Opposition should first be finished before other motions.

Mr. SPEAKER: I do not decide the point now as to whether this right is in jeopardy. I postpone decision on this matter and in the meantime as we have to finish the "General Administration" to-day I hope you will please agree to continue the debate and let me decide this matter later on.

Mr. SARAT CHANDRA BOSE: Either the practice is accepted by the Leader of the House or if it is not accepted we shall create a convention. I would take steps to create that convention as long as I am leading this Party.

Mr. SPEAKER: I will always be prepared to help the development of sound Parliamentary practices but that must be in agreement with all the parties. Now, I hope, Mr. Bosé will allow the discussion to continue.

Rai HARENDRA NATH CHOUDHURI: On a point of order, Sir. Pending decision on this point should we not disperse tonight?

Mr. SPEAKER: No, I cannot do that, because "General Administration" has got to be finished within two days.

Mr. M. SHAMSUDDIN AHMED: Sir, this is a matter in which your responsibility is very great. As has already been pointed out by Mr. Bose, I think if you cannot come to a decision, you had better not decide one way or the other.

Mr. SPEAKER: I am not deciding it, I am keeping it open. I am following the convention of last year. Unfortunately due to the absence of Mr. Bose, I could not fully understand what was the intention of the Opposition. I now fully understand what is intended by him. The arrangement that I suggested fell through in that meeting as Mr. Gupta will remember; that is why I am proceeding on the lines of the last year's procedure as was agreed to. As a matter of fact Mr. Bose will remember that in a letter which I wrote to him, I decided to give priority to motions following last year's practice. I propose to meet the Leaders of the different groups on Monday and so far as the Police Budget and subsequent Budgets are concerned, I hope there will be an agreement among the parties. I will only appeal to the Leader of the Opposition that so far as to-day and Monday are concerned, he will not raise any objection till the question is finally decided.

The Hon'ble Mr. A. K. FAZLUL HUQ: Since you are going to consider the matter what is good of discussing it? We have already wasted half an hour over this matter.

I have made a mistake. No. 2 was given first preference in the Coalition Party meeting.

Mr. JOGESH CHANDRA GUPTA: You have referred to me and said that the arrangement fell through; but all through I understood that we were not limiting the cut motions to four. In deference to your wishes, however, we agreed to bring in only four motions from

this side on Land Revenue and we are sticking to that. The whole question of settlement has got to be made in consultation with the Opposition if some other party wants to initiate any discussion in between, just as in this case the Proja Party who having spoken to us we accommodated by allowing them to move the third motion; but we never thought that we were going to lose that right.

Mr. SPEAKER: I did never understand that the Proja Party was doing it with the sufferance of the Opposition.

Mr. JOGESH CHANDRA GUPTA: They are in opposition with us and we thought that they being in the opposition we should accommodate them. But we are not prepared to accommodate any other party.

Mr. SPEAKER: When I called the name of Mr. Kshetra Nath Singha, a member of the Scheduled Caste group, which is an allied group with the Government, there was no opposition.

Mr. JOGESH CHANDRA GUPTA: We would have opposed it if it were moved. We understood that he was not going to move it.

Mr. SPEAKER: I have appealed to the Leader of the Opposition that we may continue the Budget discussion in the manner we have done following the precedent of last year till the matter is again discussed. It is not possible for the Speaker to create a convention without discussing the matter with the Leaders of different groups. In view of that I hope he will agree to continue the discussion on various demands for grants.

Mr. SARAT CHANDRA BOSE: In ordinary circumstances I would have responded to your appeal, but the right of the opposition is a valid right, which so long as I am the Leader of the Opposition I cannot allow to be prejudiced in any way. We therefore cannot continue to take part in the discussion on the General Administration. I do not mean any disrespect to the Chair or to the House. Let the debate go on in the way the Chair wants but so far as my party is concerned we cannot do any thing which might prejudice our position in any way. I have, therefore, decided to ask my party to withdraw for the evening.

Mr. M. SHAMSHUDDIN AHMED: As the question of precedent has been raised I think that we should also withdraw without any disrespect to the Chair.

(Members of the Congress Group and the Krishak Proja Party walked out.)

(Cries of shame, shame.)

Mr. SPEAKER: I am very sorry there were cries of shame when the parties left the House. It was unparliamentary from every point of view. I think every party is entitled to its legitimate opinion so long as it does not infringe the ordinary Parliamentary rights. I hope there will be no such cry from this side.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 100.

The object of the motion as stated in the order paper is to draw the attention of this House to the failure of the Government to declare a definite policy in regard to all classes of appointments by reserving a high percentage of posts for Mussalmans and members of the scheduled caste with a view to secure for their employments on population basis within a specified period of time.

This is a question which is liable to be misunderstood, but to many this is a very important question. Why is it that some communities desire that a certain percentage of Government appointments should be reserved for them? The genesis of this desire is to be found in the ambition of every community to have its proper share in the administration of the country. I think that is a very proper and legitimate desire and nobody can take exception to that. If the circumstances prevailing in a country prevent a particular community from getting its due share in the administration of the province, then indeed a question like this comes up that a certain percentage of appointments should be reserved for that community. This is exactly the situation here and it has long been accepted by the Government of this province to be so. Even the old bureaucratic Government accepted this principle and decided that a certain percentage of appointments should be reserved for Muslims and the scheduled castes. Now the question has arisen whether that reservation is adequate. I would submit that the old percentage of reservation is certainly not adequate. If anyone goes into the facts for a moment, it will be clear that the position is extremely anomalous. In the case of certain higher services, the Government has issued circulars to the effect that 45 per cent. of appointments should be reserved for Muslims, whereas in the case of clerical appointments the percentage is 33 per cent. I beg to submit that this is an anomaly which ought to have been rectified by the Government long before. Not only the Muslim Community but also the scheduled caste people are backward in education in comparison with the other communities in this Province. They also desire that they should be given their legitimate share in the administration of the province. They also want to share the responsibilities of the administration. I therefore think that early steps should be taken by Government to fix a definite percentage for the scheduled castes also. The present percentage will not do. An enquiry

will disclose that appointing authorities, almost invariably interpret the reservation to mean that 33 per cent. is the maximum of appointments that has to be given to the Muslims. Similar is the case with the scheduled caste people. I think that those who are not in favour of giving the scheduled caste people and the Muslims their due share of appointments are liable to misinterpret the circulars in that way. Therefore unless a higher percentage is fixed, I am afraid, the Muslims and the scheduled caste people will never get their legitimate share of Government appointments. Some communities do not see eye to eye with us so far as this important question is concerned. I think unless some definite arrangement is made in respect of this matter is concerned and unless the Government decide this question once for all and thereby prevent all future controversy over this matter, it will be a standing menace to the amicable relations of the different communities in this province. Ever since the present Government assumed office they have been declaring in answer to questions that the whole matter is under the consideration of the Government. I want to ask as to how long are the Government going to take to come to a decision on this question. They have been considernig this question probably for the last full one year and yet they have not been able to arrive at a decision. We are extremely dissatisfied with this attitude of Government. This is a question which ought to have been decided long before and it gives me no pleasure to bring forward a motion like this. It is the apathy of the Government that has compelled some of the members to table a motion like this. I think not a day more should pass before the Government come to a definite decision on this important matter.

While I insist upon our due share in the appointments of Government being given to us, I want to make it clear that we do not believe that the salvation of any community depends on this alone. The real economic salvation depends on other things, such as trade and industry and not merely on appointments. But appointments have their own importance and we cannot ignore them. There is also a sentimental ground of which I have already spoken. We desire—the scheduled caste people and the Moslems legitimately desire—that they should not be deprived of their own proper share in the administration of the province. Until and unless they get their proper share there is bound to be dissatisfaction in these communities, and I think it is for the good of the whole country to remove this sense of dissatisfaction from their minds.

There is another question: whether any reservation should be made in favour of a majority community. People who want to prevent other communities from getting their proper share generally bring forward this argument. So far as I think this question has to be decided on its own merits. Is it necessary to make any reservation in the interests of the different communities getting their proper

share in the administration? If it is necessary then surely there must be a reservation. If it is not necessary then no one will claim it. Now the circumstances prevailing in the country are such that we feel that such reservation is necessary and will be necessary for some time more to come. That is not on account of the fact that the Moslem community is backward. The Moslem community has made very rapid progress during the past few years, and I think at present qualified candidates from the Moslem community can be found in any number almost for any department of public service in this province. The scheduled caste people also have made fair progress. But in spite of this we see that persons who are generally holding key positions in the administrative machinery of this province are not in favour of giving the scheduled castes and the Mussalmans their due share of appointments, and that is the reason why it is necessary that Government should come forward with a definite policy in this respect, and should lay down such a percentage for the Mussalmans and the scheduled caste people that within a stated number of years their percentage in the different services may come up to the population basis. That is our demand. I think this is a matter, Sir, on which there is no difference of opinion on this side of the House. Unfortunately one section of the House which might have made probably valuable contributions on this subject has retired from the House, and now we are discussing the matter in a section in which there is a unanimity of opinion so far as this matter is concerned. It is therefore needless for me to dilate further on this subject. With these words I place my motion before this House

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir. It is a pity that our friends of the Indian National Congress have walked out of this House at a very convenient moment. (Laughter from the Treasury Bench.) It will be seen that this act of theirs is entirely in keeping with the policy the Congress has been following since the day it met at Ranchi and adopted a negative attitude. It shows a psychology that they are afraid of facing realities, because, when it comes to doing justice to others they take shelter behind exploded theories and present an attitude which is positively negative. The Muslim demands his rights, not out of their generosity—they do not possess any—but because he wants justice to be done to him even at this late hour. Many formulas have been suggested as to how to solve this terrible Hindu-Muslim unity, because in the last analysis, the differences exist on a subject which touches our daily bread. If our friends claim to speak in the name of the Indian nation, they must face this problem courageously and boldly. The Indian National Congress will disgrace itself if in this province of Bengal it is not prepared to give to the Muslims his due. This problem which, as I have said, touches our daily bread is bound up with every aspect of

the public life. Staging a walk out and going out of the House in an attitude of injured innocence and trying to impress upon the public as if they had put the Speaker into an awkward position or as if they had scored a point against the Coalition, is cheap clap-trap and third-rate politics. The Mussalman is not being selfish when he demands that justice be done to him. When he claims justice for himself he also claims justice for the other minorities in the country. Whether they be caste Hindus, the scheduled castes or the Anglo-Indian community, we are quite willing and prepared to give them, on the basis of population and perhaps on the basis of their political importance, whatever is their due. This motion is a very mild attempt to get a decision of the House on this problem of all problems; on the problem of how the minorities in India are going to exist. Our friends with the negative mentality and others who have so half-heartedly and carelessly walked out behind them cannot solve the Indian problem, for the simple reason that these tactics will retard peace and freedom will go further and further away from us. Had I been the Leader of what is known as the Indian National Congress, which is certainly not national without "me", I would not have acted as they have done to-day. If they claim to be both Indian and national, then it is their duty—their religious duty, their political duty, it is their duty as people who claim to serve their country—to take me with them and they are not going to have me with them until and unless they are prepared to do justice. Sir, it has been painful to me to say these things but, they will not get us until and unless they are prepared to work in a spirit of give-and-take. If they go out they will undoubtedly shout and say that it is for the rights of the Indian people that they have walked out. Sir, I am also an Indian and am a member of an important section of the Indian community. I claim that they alone have not the right to speak wholly and solely for the Indian people particularly when I am not one of them. I feel the injustice of the tactics they have adopted and the political game they are playing. I do not know whether the word is parliamentary, but if you would permit me I would say, that there is a dirtiness about these——

Mr. SPEAKER: I am afraid, you must withdraw that expression.

Mr. ABDUR RAHMAN SIDDIQI: I withdraw.

The Indian National Congress, to be Indian and national, will have to change its outlook if it wants to serve this country and this province consisting of a Muslim majority.

Mr. PREMHARI BARMA: Mr. Speaker, Sir, I whole-heartedly support the motion of Maulvi Tamizuddin Khan. Sir, the scheduled castes are a major population of the province, but unfortunately they have no share in its administration. It is our legitimate right that we

should have some share in it. This is necessary not because we can claim it as a matter of right but as an encouragement to them so as to raise them from the position in which they are now. There is no education amongst us, and as an impetus to and encouragement for our education and general progress it is necessary that provision should be made for reservation in the Government services. In the last session we submitted a list of demands of our group and one of the demands was that 25 per cent. of all Government appointments should be reserved for members of the scheduled castes having the minimum qualification required. Then again on the 17th February, we put forth among other demands our claim to 25 per cent. of appointments for the scheduled castes. I hope Government will consider our demands sympathetically and give us our legitimate share.

With these few words I support the motion.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, we are thankful to Mr. Tamizuddin Khan for having brought forward this cut motion and raised this discussion. The question of reservation of percentage for various communities has been engaging the attention of Government for a very long time. At one time the reservation was 33⅓ per cent. for Moslems in most of the services and 5 or 10 per cent. for the so-called backward classes. Since then, Sir, the circumstances have changed, and within the last 20 years, the Moslems have made such a great advance in education and in various other respects and the scheduled castes have also come to such prominence that the time has now come for a revision of those percentages, and Government have not been idle ever since the present constitution came into existence on the 1st April, 1937. We have been collecting materials from all the departments of Government as to how the circulars have been working, and I confess that the manner in which even the existing circulars have been given effect to has been extremely unsatisfactory. Those who have had the privilege of making appointments have been dodging the circulars all this time, and it was with very great difficulty that Moslems and scheduled castes could really get even the scanty percentage of appointments reserved for them. We can give all the parties in the House, Europeans excluded, this assurance that in the matter of making appointments in public services—(the Hon'ble Mr. NALINI RANJAN SARKER: Why exclude the Europeans? the Hon'ble Mr. A. K. FAZLUL HUQ: That is because they do not usually come forward with any application)—the claims of all these communities will be considered so long as they do not infringe upon the legitimate rights and interests of the other communities.

So far as the question of percentage is concerned, it is a somewhat complicated and difficult problem. The claims that have been put forward come up to 150 per cent., and it is difficult to fix the percentage

in such a way as to keep within the proper limit. But I can assure the House that in the near future after the budget session is over, and when we have all the materials before us, we will announce the Government decision on the question, and we shall go further and see that steps are taken in order that ciculars that are issued are properly adhered to, and proper effect is given to them. It is better to have even 40 or 45 per cent. and effect be given to it, rather than to have a 60 per cent. reservation without any effect being given to it. That is the reason why we have been trying to discover how the existing circulars have been working, and as soon as these materials have been collected, we in the very near future are going to announce our decision, which, I hope, will be satisfactory to all concerned, although it may not satisfy the utmost limit of ambition of everybody.

With these remarks I would ask my friend Mr. Tamizuddin Khan to withdraw his motion.

Maulvi TAMIZUDDIN KHAN: I beg leave to withdraw the motion.

Mr. AFTAB ALI: I object to the leave being granted.

The motion that leave be granted to Maulvi Tamizuddin Khan to withdraw his cut motion was then put and agreed to, Mr. Aftab Ali alone dissenting by raising his hand.

The following motions were then called but not moved:—

That the demand of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by—

Rs. 100. **Maulvi ABDUL BARI:** Top-heavy administration which tends to increase without paying heed to popular demand for reduction and retrenchment.

Rs. 100. **Mr. RASIK LAL BISWAS:** To raise a discussion about (*1*) nomination of members of local bodies and (*2*) indifference and inaction in respect of public demands for amendment of the Local Self-Government and the Village Self-Government Laws.

Rs. 1,12,000. **Mr. ATUL CHANDRA KUMAR:** Economy-lump provision for the reorganisation of the establishments of Commissioners, District and Subdivisional Officers which is unnecessary.

Rs. 100. **Mr. PREMHARI BARMA:** Appointment of scheduled castes in Ministerial services.

Rs. 100. **Mr. UPENDRA NATH EDBAR:** Appointment of the scheduled castes in Government services.

Rs. 100. **Mr. PREMHARI BARMA:** Non-consideration of the memorial of the industrial employees of the Calcutta University Press.

Rs. 100. **Mr. BANKU BEHARI MANDAL:** Price of paddy.

Rs. 1,90,800. **Maulvi MOHAMMAD ABUL FAZL:** Economy by abolishing establishments under "Commissioners".

Rs. 2,30,800. **Maulvi ABU HOSSAIN SARKAR and Mr. RAMIZ-UDDIN AHMED:** Expenditure under head "Commissioner" is unnecessary.

Rs. 100. **Maulvi ABDUL HAKIM:** Reduction of pay and allowances of all officers drawing salaries above Rs. 200 a month.

Rs. 100. **Mr. ASIMUDDIN AHMED:** Reduction of salaries of Government officers above Rs. 300 per month.

Rs. 1,00,000. **Mr. MAQBUL HOSAIN:** Economy by not providing for a separate building to house Legislative Council.

Rs. 100. **Mr. SHAHEDALI:** Failure to take effective steps against those officers whose names have been mentioned by the Tribunal in the judgment as having actively canvassed in the Assembly election held on 19th and 20th January 1937 in the Diamond Harbour and Devidwar-Muradnagar Rural Muhammadan Constituencies.

Rs. 100. **Maulvi MD. ABUL FAZL:** Activities of Circle Officers and their abolition.

Rs. 100. **Mr. YUSUF ALI CHOUDHURY, Khan Sahib Maulana AHMED ALI ENAYETPURI, Mr. SERAJUL ISLAM, Mr. SHAH SYED GOLAM SARWAR HOSAINI, Maulvi MUHAMMAD IBRAHIM, Mr. SYED ABDUL MAJID, Maulvi TAMIZUDDIN KHAN, Al-Haj Maulana Dr. SANAULLAH, Maulvi AZHAR ALI, Mr. FAZLUR RAHMAN, Mr. ABDUR RAZZAK and Dr. MAFIZ-UDDIN AHMED:** Desirability of vesting the union boards with the power of appointment of chaukidars and dafadars and reducing their present strength.

Rs. 100. **Mr. M. FARHAD RAZA CHOWDHURY:** Recruitment through Public Services Commission.

Rs. 100. Maulvi **MD. HASANUZZAMAN:** Retrenchment in administration and specially making retirement of Government servants after 25 years of service.

Rs. 9,840. **Dr. NALINAKSHA SANYAL:** Economy by not making a new appointment of a Gazetted officer for Ministers.

Maulvi ABDUL WAHAB KHAN: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,14,08,000 under the head "25—General Administration" be reduced by Rs. 100 to consider the desirability of bearing 50 per cent. cost of chaukidari establishment out of the provincial revenue in lieu of the service obtained by Government in rural areas from chaukidars and dafadars. Sir, I shall put forth my arguments as briefly as possible. The maintenance of law and order in rural areas, is the primary concern of the Government and I do not understand why this primary duty of Government should be delegated to other bodies who have no resources of their own and have to tax the public on that account. If I may use an analogy, I may ask is the Government prepared to hand over the Calcutta Police to the Calcutta Corporation? I may add that so far as financing the Calcutta Police is concerned, the Calcutta Corporation is in a better position to maintain the Calcutta Police than the Union Boards to maintain the rural police—I mean, the chaukidars and dafadars. Is the difference due to the fact that the Calcutta Police maintain vested interests of the European capitalists and the upper ten thousand? If a handful of rich and well-to-do persons in Calcutta are to be protected by the Calcutta Police at the expense of the provincial revenue, why should the millions of poor, hungry and half-clad villagers be compelled to pay for their protection?

I submit, Sir, that in all fairness and justice, the entire cost of the Chowkidars should be maintained by the Government. Yet I have made a very modest proposal that only half the cost may be defrayed by the Government. Again Sir, though at present Unions Boards pay the entire cost of maintenance of rural police, they have hardly any control over the Chowkidars. Their appointment and dismissal is in the hands of others. It is ordinary nature that all officers accept only the commands of those who have the authority of appointment and dismissal. The result is that all the time of the Chowkidars and Daffadars is taken up in running up and down to the Thana and catering the personal needs of the Police.

Mr. SPEAKER: If you are anxious to hear the reply of the Minister, I hope you will stop now. The guillotine will fall at 8.5.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, may we take his speech as delivered?

Maulvi ABDUL WAHAB KHAN: I will only take two minutes as there is no time left I will finish with a very few words.

Government in their Administration Report also have agreed to the desirability of reforming the rural police. So I appeal to the Government that Government in all fairness should take up the reorganization of the rural police and reduce the number of Chowkidars and Daffadars and also bear the entire cost of the rural police. The money thus set free would be available for establishing free and compulsory primary education without any levy of cess. Therefore from the point of view of economy, from the point of view of better administration of law and order and of the villagers inalienable birthright to be given protection by the State I would request the present Cabinet to accept my suggestion and earn the gratitude of the dumb millions of the province.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the very speech of the hon'ble mover makes it clear that this is a question which requires very careful investigation It is a system that was started long ago, and it is a system which requires overhauling. There is a large number of intricate questions which cannot be decided in an offhand manner. Even the report of the Police Administration and the opinion of the Inspector-General of Police will show that from the police point of view also this question requires to be thoroughly examined. Therefore, Government have decided to appoint a Committee of the House on which at least six non-official members of both the legislatures and three official members will be appointed to investigate the various problems that are connected with it.

Maulvi ABUL HASHIM: Why members of both the Legislatures, why not the Lower House alone?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think the House will agree and the members will agree that the question is as to who should pay for rural police and chowkidari work, what should be the contribution if it has got to be on proportionate basis, who will be the appointing authority, who will exercise control over them, and what about the system of rewards on payment of fines, because as the present system stands it is according to the amount of fine that is collected that the Chowkidars are rewarded. Now a good Chowkidar who sees that there is no crime in his area is penalized, because there are less fines, whereas the Chowkidar who neglects his work, but the fines are larger there, gets the reward. So all these questions are very intricate. We have been discussing this with various members of the House as well as with the Presidents of Union Boards and police officers and District Magistrates and Subdivisional officers, and whereas on the one side there is a strong opinion that it is possible to reduce the number of chowkidars, on the other hand there is a great dissatisfaction with the existing type of persons and the number of people that

are employed, and the pay that is given to them for instance in certain districts, and the fact that the people who offer themselves for the post of Chowkidars are men drawn from the very lowest class.

Maulvi ABDUL WAHAB KHAN: Sir, in view of the assurance given by the Hon'ble Home Minister, I beg to withdraw my motion.

The motion was then by leave of the House withdrawn.

The following motion of Mr. Abdul Hakeem was called but not moved:—

Necessity of (*i*) abolishing the local boards forthwith (*ii*) introducing adult male franchise in union boards, district boards and municipal elections; (*iii*) abolishing nominations to self-governing institutions; (*iv*) abolishing the system of reservation; (*v*) introducing the system of voting by ballot by symbol in the elections of all self-governing institutions.

The motion of the Hon'ble Khwaja Sir Nazimuddin that sum of Rs. 1,14,08,000 be granted for expenditure under the head "25—General Administration" was then put and agreed to.

Adjournment.

The House was adjourned till 4-45 p.m. on Friday, the 11th March, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 11th March, 1938, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, eleven Hon'ble Ministers and 218 members.

STARRED QUESTIONS

(to which oral answers were given)

Maximum salary of a Government employee.

***179. Mr. SASANKA SEKHAR SANYAL:** (*a*) Is the Hon'ble Minister in charge of the Finance Department aware of a feeling that exists amongst the public of Bengal that the maximum salary of a Government employee should not in any case exceed Rs. 500 per month?

(*b*) Are the Government considering the desirability of releasing money by fixing the maximum salary as mentioned in (*a*) for distribution over posts carrying small salaries and for creating new posts with a view to tackling unemployment problem?

(*c*) Are the Government contemplating any modifications in the scales of pay and pensions?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): (*a*) I have seen this view expressed but am not aware of the extent to which it is held.

(*b*) Government have no intention of fixing the maximum salary of Government servants at Rs. 500

(*c*) I would refer the hon'ble member to the answer given by me earlier in this session to starred question No. 106 by Maulana Md. Maniruzzaman Islamabadi.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state what is the principle which the Government adopts in fixing the maximum salary of a Government officer?

The Hon'ble Mr. NALINI RANJAN SARKER: I am not aware of any new principle just now. We are following the old system.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state if the Government has at all gone into the question of fixing the maximum salary of Government servants?

The Hon'ble Mr. NALINI RANJAN SARKER: Yes, and the maximum salary of every grade has been fixed.

Mr. NISHITHA NATH KUNDU: Are we to understand, Sir, from the reply of the Hon'ble Minister that there is no principle whatsoever?

The Hon'ble Mr. NALINI RANJAN SARKER: There is some principle.

Maulvi ABDUL BARI: Is the Hon'ble Minister aware that previously executive officers of the provincial service and judicial service used to get a maximum salary of Rs. 250? Why has it been increased to Rs. 850 now?

The Hon'ble Mr. NALINI RANJAN SARKER: According to my information the facts given by the hon'ble member are not correct.

Mr. SASANKA SEKHAR SANYAL: With regard to answer (*b*) that Government have no intention of fixing the maximum salary of Government servants, will the Hon'ble Minister be pleased to state the reasons?

The Hon'ble Mr. NALINI RANJAN SARKER: It is not possible under the prevailing conditions.

Mr. SASANKA SEKHAR SANYAL: What are the difficulties?

The Hon'ble Mr. NALINI RANJAN SARKER: I say under the prevailing conditions it is not possible to fix the salaries of officers in all grades at so low a figure as Rs. 500.

Mr. SASANKA SEKHAR SANYAL: Is it the considered opinion of the Ministry that Rs. 500 is very low?

The Hon'ble Mr. NALINI RANJAN SARKER: Under the prevailing conditions it is low as a maximum for all posts.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state what in the opinion of the Government is to be the maximum salary of the Government officials?

The Hon'ble Mr. NALINI RANJAN SARKER: As all Government officials are not of the same status, I cannot say what is the maximum applicable to all members of the Government.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state what is meant by "under the prevailing conditions"? What are the conditions that prevail?

The Hon'ble Mr. NALINI RANJAN SARKAR: The condition prevailing is that in other comparable services and departments of life high remuneration is available.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state if the Government are prepared to take the views of the people as to what should be the maximum salary under the Government?

The Hon'ble Mr. NALINI RANJAN SARKER: I do not know that there is any definite opinion of the people as to the maximum salary?

Mr. SASANKA SEKHAR SANYAL: Is the Hon'ble Minister aware that Ministers in several provinces have set an example that Rs 500 is enough for Government servants?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether the poverty of the people should be taken into consideration in deciding the pay of the officers?

The Hon'ble Mr. NALINI RANJAN SARKER: It is not merely on the ground of proverty of the people that salaries should be fixed. There are many other considerations.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state if the Government are prepared to ascertain the views of the people in this matter?

The Hon'ble Mr. NALINI RANJAN SARKER: The Government cannot do it except by something like a plebiscite.

Moslem Government pleaders.

***180. Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*i*) the total number of Government pleaders in the Province; and

(*ii*) the number of Moslem Government pleaders in the Province with the names of the districts?

(*b*) Is the Hon'ble Minister considering the desirability of increasing the number of Moslem Government pleaders?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) (*i*) The total number of district Government pleaders in the Province of Bengal is 26, and there are 7 posts attached to the Munsifs' Courts in the district of Chittagong.

(In 15 districts the posts of the Government Pleader and Public Prosecutor are combined.)

(*ii*) There is no Moslem Government Pleader in Bengal; one of the posts in the Munsifs' Courts of Chittagong is held by a Moslem.

(*b*) I have all along been considering the desirability of increasing the number of Muhammadan Government pleaders, but this can only be done when vacancies occur.

Mr. SHAH ABDUR RAUF: Will the Hon'ble Minister be pleased to state at what age Government Pleaders should retire under the existing rules?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sixty.

Mr. SHAMSUDDIN AHMED KHANDKAR: Is the Hon'ble Minister aware that a vacancy has occurred at Faridpur, and does the Government propose to appoint a Muhammadan there?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: There may be vacancies, but when they are filled up you will see what happens.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that in the interests of State efficiency must be the only standard for such appointments?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether the seven posts attached to the Munsifs' Courts in the district of Chittagong carry any retaining fee apart from daily fees?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not know.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the case of the seniormost Muslim pleader at Faridpur who is doing all the important Government cases is not being considered by the Government?

Mr. SPEAKER: I do not think that question arises.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state if there will be any difficulty if the posts of Government Pleaders are abolished altogether?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL WAHAB KHAN: Does the Hon'ble Minister consider the desirability of appointing able Muslim lawyers as Junior Government Pleaders in the districts where the combined post of Government Pleader and Public Prosecutor is held by a Hindu gentleman?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Unless a post is created, it will not be possible for me to appoint.

Mr. ABDUL KARIM: From the Hon'ble Minister's answer to supplementary questions, are we to understand that the word "efficiency" is used to shut out Muslim from Government service?

Mr. SPEAKER: That question does not arise.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if it is under the contemplation of the Government to have these posts filled up by the Public Service Commission?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The Public Service Commission is asked to send four names whom they consider to be fit for appointment. Of these four one is selected by Government.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state when vacancies of Government Pleader will occur in different districts?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I want notice.

Mr. RASIK LAL BISWAS: Will the Hon'ble Minister be pleased to state if the Government is empowered to increase the number of pleaders at any time they like?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Unless the posts are created, how can the Government appoint?

Mr. DHIRENDRA NATH DATTA: Does the Hon'ble Minister think that such questions excite communal tension, and they should be avoided as far as possible?

Mr. SPEAKER: That question does not arise.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state how many times extension has been granted to each of these 26 Government Pleaders?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not know.

Mr. NARENDRA NARAYAN CHAKRABARTY:

মাননীয় Minister মহাশয় অনুগ্রহ কোরে বোলবেন কি সাত্তা পাত্তা মহোদয়দের কয়জন Government Pleader আছেন?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the Government Pleader at Faridpur has been given extension?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I want notice.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether or not a first service extension was granted to the Government Pleader at Faridpur?

Mr. Speaker: That question does not arise.

Mr. ABDULLA-AL MAHMOOD: Will the Government be pleased to state how many vacancies occurred during the tenure of this Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not know how many vacancies arose but I have filled in two appointments—one is the Public Prosecutorship of Mymensingh; that has gone to a Mussalman and recommendation was made for a Muhammadan; then I think I appointed another man at Midnapore and it has gone to a Hindu.

Khan Bahadur Maulvi JALALUDDIN AHMAD: Was not the post of the Public Prosecutor of Mymensingh held by a Mussalman all along?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes.

Mr. RASIK LAL BISWAS: Will the Hon'ble Minister be pleased to state, in view of the demands of the Muslim public for Government pleaders from the Muslim community, do the Government think it desirable to create the posts of Muslim Government Pleaders?

The Hon'ble Mr. A. K. FAZLUL HUQ: Provided no counter-claim is put forward.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Will you please repeat your question?

Mr. RASIK LAL BISWAS: My question is this—in view of the demands of the Muslims of this province for Muslim Government pleaders, do the Government desire to create the post of Muslim Government pleaders separately?

Mr. SPEAKER: That does not arise.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if in the present vacancies there are any candidates from this House?

Mr. SPEAKER: That does not arise.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if there is any vacancy at Dacca in the post of Government pleaders?

Mr. SPEAKER: That question does not arise.

Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister be pleased to state whether or not a vacancy has occurred at Rajshahi?

Mr. SPEAKER: That question does not arise. I think I have made it clear that you may ask questions on a certain general principle and any question supplementary or otherwise relating to a particular district or a particular vacancy is not relevant to the subject-matter of this question.

Khan Bahadur Maulvi JALALUDDIN AHMAD: Is the Hon'ble Minister, with reference to his answer "I have all along been considering the desirability of increasing the number of Muhammadan Government pleaders, but this can only be done when vacancies occur", considering the desirability of appointing a Muslim to the post of the Government Pleader vacant at Dacca?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is not possible for me to make any announcement before the matter comes up to me.

Appointment of Muslim District Judges.

***181. Maulvi MD. ABDUL HAKIM VIKRAMPURI:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*i*) the total number of (1) Munsifs, (2) Sub-Judges, and (3) District Judges of Bengal; and

(*ii*) the number of (1) Hindu, (2) Muslim, and (3) Christian—

(*A*) Munsifs;

(*B*) Sub-Judges; and

(*C*) District Judges in Bengal?

(*b*) Is the Hon'ble Minister aware that the number of Muslim Munsifs, Sub-Judges and District Judges are much below the proportion to their population in the province?

(*c*) Is the Hon'ble Minister considering the desirability of giving immediate effect to the Government circular of raising the percentage of Muslim officers of each grade in the Judicial Department to, at least, 45 per cent. in the near future?

(*d*) Will the Hon'ble Minister be pleased to state whether he is considering the desirability of appointing a number of Muslims as District Judges in the near future?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) A statement is laid on the table.

(*b*) Government are aware of the small proportion of Muslims in the grades of Munsifs, Sub-Judges and District Judges.

(*c*) and (*d*) Rules have been framed to provide for 45 per cent. of the vacancies in the Bengal Civil Service (Judicial) to be filled by Muslims if qualified candidates are available.

Posts of Subordinate Judges will be filled by promotion by the High Court under section 255 of the Government of India Act.

Posts of District Judges are filled by Indian Civil Service officers, by direct recruitment from the Bar, and by promotion from amongst the Subordinate Judges, but my department is not concerned with filling these posts.

Statement referred to in the reply to starred question No. 181.

	Munsifs.	Sub-Judges.	District Judges.
Hindu	197	53	28
Muslim	65	2	3
Christian	..	..	16
Total ..	262	55	47

Mr. PROMATHA RANJAN THAKUR: With reference to answers (*c*) and (*d*), will the Hon'ble Minister be pleased to state, is it a fact that only first class B. L. candidates are regarded as the only qualified candidates for the Bengal Civil Service (Judicial)?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I don't think that only first class, those who get first class marks, B. C. S. are the only persons who may be considered fit, but I believe there are people from the second class who are equally competent for a post like that.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if it is the policy of the Government to increase the number of Muslim Sub-Judges and Muslim District Judges by direct recruitment from the Bar?

Mr. SPEAKER: "Sub-Judges" is a matter which comes under the Government of India Act.

Maulvi ABDUL BARI: Then, Sir, about District Judges?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: As regards District Judges, this can be done by direct recruitment, but I have told you that so far as this recruitment is concerned, it is the Appointment Department that actually recruits, but the difficulty is this that the Appointment Department after going through all the paraphernalia for making appointments comes to me for final sanction which I am to give automatically

Mr. NARENDRA NARAYAN CHAKRABARTY: Sub-Judge এবং District Dudge এর নিয়োগ সম্বন্ধে প্রয়োজনীয় শিক্ষার সম্পর্কে হিন্দু ও মুসলমান সম্প্রদায়ের আনুমানিক শিক্ষার হার মন্ত্রী মহাশয় জানাবেন কি ?

Mr. SPEAKER: This is not a question, that is an argument.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state when was the last Muslim District Judge appointed?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I think about a year ago.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if in the matter of promotion from Munsifs to Sub-Judges, the High Court takes into consideration the opinion of or invites the opinion of the Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Not at all.

Ministerial staff in the Munsifs' Courts, Rangpur.

*182. **Mr. JATINDRA NATH CHAKRABARTY:** (*a*) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware—

(*i*) that each employee of the ministerial staff in the Munsifs' Courts—

(1) in North Bengal, particularly in the district of Rangpur, has got to deal with at least 1,500 records per year and also has got to fill up not less than 12 registers with 30 to 35 columns every day, and

(2) in West Bengal they have to deal with 1,000 records per year;

(*ii*) that these employees of the Rangpur district have to work in their respective offices from early morning till 9-30 a.m. and again from 10-30 a.m. to 9 p.m. and sometimes up to 11 p.m. to make up their quota;

(*iii*) that these employees are not allowed to absent themselves from office on Sundays and during gazetted holidays;

(*iv*) that their grievances were represented to the authorities through the Ministerial Officers' Association but without any effect; and

(*v*) that a number of officers have retired prematurely with broken health or have taken long leave for the same reason unable to cope with their work?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of instituting an enquiry into the matter with a view to ameliorate the present condition?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) (*i*) The standard per clerk for dealing with records is as stated, but it would not be correct to say that each clerk has to fill in columns of 12 registers every day.

(*ii*) Generally their work is heavy from *Tamadi* time till the *Dassera* vacation. It is not known how long they actually work but it is possible they have to work overtime out of court hours.

(*iii*) No. They are allowed to avail themselves of holidays unless in exceptional circumstances there is need for making up heavy arrears.

(*iv*) Representations have been received from the Ministerial Officers' Association.

(*v*) There was no case of premature retirement. A few clerks went on leave on medical certificate and some did so to avoid transfer to other stations.

(*b*) The question of reorganisation of staff in civil courts is being examined. The report of Mr. R. F. Lodge, the Special Officer, is now under consideration. Issue of final orders is delayed owing to the changes in the volume of civil court work taking place due to the operation of the Bengal Agricultural Debtors' Act. An investigation is being made to see if some special relief can be given at the time of *Tamadi* institutions. Five extra temporary clerks were sanctioned for Rangpur from April, 1934, and are being continued.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state with reference to answer (*a*) (*i*) as to columns of how many registers each clerk has to fill?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is not a question that I expected from you. It is not possible for any particular clerk to keep all the 12 registers.

Mr. NAGENDRA NATH SEN: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether the report of Mr. Lodge is under consideration of the Hon'ble High Court or of this Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Of the Hon'ble High Court.

High Court Civil Rules and Orders, Volumes I and II.

***183. Mr. NAGENDRA NATH SEN:** (*a*) Is the Hon'ble Minister in charge of the Judicial and Legislative Department aware that the Hon'ble High Court of Calcutta has issued two books "High Court Civil Rules and Orders", Volumes I and II, being an amended and consolidated edition of several previous Circular Orders, for the guidance of all the mufassil courts of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of requesting the Hon'ble High Court of Calcutta to enquire into the working of the said Civil Rules and Orders in the mufassil courts of Bengal at an early date? If not, why not?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) Yes.

(*b*) A special officer was deputed to enquire and his report is under consideration of the Court.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state when the Special Officer forwarded his report to the Hon'ble High Court?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is more than a year ago.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether it is the same report as the one referred to in the answer (*b*) to question No. 182?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: It is a sister report.

Muhammadans in the civil courts of Bakarganj.

***184. Mr. SADARUDDIN AHMED:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to lay a statement on the table showing for the present time—

(*a*) the number of permanent and temporary clerks (separately) in the civil courts of the Bakarganj district; and

(*b*) how many of them are Muhammadans?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:

(*a*) 148 (permanent) and 14 (temporary).

(*b*) 45 (permanent) and 5 (temporary).

Muhammadan clerks in the upper division in the civil courts of Bakarganj.

***185. Mr. SADARUDDIN AHMED:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*a*) the number of clerks in the upper division in the civil courts of the Bakarganj district; and

(*b*) how many of them are Muhammadans?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:

(*a*) 21 (including one stenographer).

(*b*) 2.

Promotion of clerks in the civil courts of Bakarganj.

***186. Mr. SADARUDDIN AHMED:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*a*) how many clerks have been promoted from the lower division to the upper division in the civil courts of the Bakarganj district during the years 1935 to 1938;

(*b*) whether there is any Muhammadan amongst them; and

(*c*) if not, what is the reason?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) Five promoted to the grade of Munsifs' Sheristadars.

(*b*) No.

(*c*) In January last, the post of a Munsif's Sheristadar fell vacant and was offered to one of the senior Muhammadan clerks who declined to accept it.

Maulvi ABDUL WAHAB KHAN: With reference to answer (*c*), will the Hon'ble Minister be pleased to state how and to whom the post of Sheristadar was offered but was declined?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, I want notice.

Appeals against the orders of the Debt Settlement Boards in Bakarganj.

***187. Mr. UPENDRANATH EDBAR:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state separately for the years 1937 and 1938—

(*a*) how many appeals have been preferred in the senior Munsifs' Courts of Pirojpur, Patuakhali, Bhola and Sadar in the district of Bakarganj, against the orders of the respective Debt Settlement Boards;

(*b*) how many of them have been heard; and

(*c*) how many of them are still pending?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: A statement of the position on the 1st March, 1938, is laid on the table.

Statement referred to in the reply to starred question No. 187 regarding the number of appeals in the Munsif's Courts of Bakarganj against the orders of the Debt Settlement Boards.

Name of Court.	Number of appeals preferred against the order of the Debt Settlement Boards.		Number heard.	Number still pending.
	1937.	1938.		
Senior Munsif's Court—				
Barisal ..	16	16	11	21
Bhola ..	..	1	..	1
Pirojpur ..	52	21	44	29
Patuakhali ..	..	..	..	..

Appointments made in the department under the charge of the Hon'ble Minister for Judicial and Legislative.

***188. Mr. MD. ABUL FAZL:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state the total number of appointments made in the various departments and branches under his charge since 1st April, 1937?

(*b*) The number of Mussalmans among them?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:

	Permanent.	Temporary or Officiating.
(*a*) Judicial Department ..	2	3
Legislative Department ..	2	17
(*b*) Judicial Department ..	2	..
Legislative Department ..	1	8

Motoring road to a suitable seaside place within easy reach of Calcutta.

***189. Mr. DEBI PROSAD KHAITAN:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department considering the desirability of taking up of a motoring road to a suitable seaside place within easy reach of Calcutta?

(*b*) If the answer to (*a*) is in the affirmative—

(*i*) what steps, if any, are being taken for the purpose;

(*ii*) when does he expect that such a road will be constructed; and

(*iii*) whether any and if so, what steps are being taken for the purpose of developing a suitable seaside place within easy reach of Calcutta to which the people of Calcutta could go for week ends for the betterment of health?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Kasimbazar): The matter will be duly considered by Government after the report on road development has been received from the Special Officer, Road Development Projects.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state whether Government object to develop roads which might adversely affect the railways?

Mr. SPEAKER: That question does not arise.

Communication with Serajganj and Mymensingh.

*190. **Mr. AMRITA LAL MANDAL:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware that the communication of Tangail with any railway line is almost nil and the communication with Serajganj and Mymensingh is bad, tedious and costly?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state in detail what steps, if any, the Government propose taking to remove these inconveniences of the people of Tangail?

(*c*) Will the Hon'ble Minister state whether it is a fact that India Government was willing to construct a railway line from Tangi to a place between Serajganj and Sarisabari *via* Tangail but the Bengal Government objected to such construction on certain sanitary grounds?

(*d*) If so, what were those grounds and what were the other reasons for giving up that project?

(*e*) Is it still in contemplation of the Government to construct such a line? If so, when?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: (*a*) Yes.

(*b*) The Mymensingh-Tangail Road which is being improved from a grant from the Road Fund will, it is hoped, remove the inconvenience to some extent.

(*c*) and (*e*) No. The Eastern Bengal Railway administration have under consideration the construction of a railway from Tangi to Pingna *via* Tangail. The Government of Bengal appointed a Committee in 1934 to investigate the problem of public health, sanitation, drainage and waterways in connection with the construction of the railway. The report of the Committee is being awaited by Government.

(*d*) Does not arise.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state by whom this Mymensingh-Tangail Road is being improved—by the District Board or by Government?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: By Government.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state why the Committee that was appointed in 1934 could not submit their report as yet?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: As I have already stated the Committee is making certain observations. The Committee was formed in September, 1934 and only two rainy seasons have elapsed in between and I am expecting a report shortly.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister inform the House of the personnel of the Committee?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: Sir, I want notice.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether the work of the Mymensingh-Tangail Road is being done through the District Board?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: As I have already stated, Sir, these roads which are constructed from the Petrol Fund are done by the Government of Bengal, and whenever any local authority is given the charge to construct any road they do so as the agent of the Provincial Government.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state when Government expect to finish this road?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: It is very difficult to say that off-hand, but I believe that the bridging of a portion of the road is already completed and we are now awaiting sanction from the Government of India for the bridging of the rest of it.

Scheduled Caste candidates for the posts of inspectors and auditors in the Co-operative Department from Barisal.

***191. Mr. JOGENDRA NATH MANDAL:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state with reference to recent appointments of inspectors and auditors in the department—

(*i*) the names and academic qualifications of the Scheduled Caste candidates of Barisal nominated by the District Magistrate;

(*ii*) the committee constituted for the purpose; and

(*iii*) whether any one of them has been appointed?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, what are their names and qualifications?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) and (*ii*) The recommendations of the District Magistrate and the Selection Committee are confidential and cannot be disclosed.

(*iii*) No appointments have yet been made.

(*b*) Does not arise.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether the personnel of the Hajiganj Special Board has been published in the "Calcutta Gazette", and, if not, why not?

Mr. SPEAKER: How does that question arise from question No. 191?

Mr. SHAHEDALI: I am very sorry, Sir; I mistook it for question No. 192.

Mr. PRAMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state the names and qualifications of any members of the scheduled castes who have been nominated by the District Magistrate?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Sir, I have already said that the recommendations of the District Magistrates are confidential. I may add that no appointment has yet been made.

Mr. SPEAKER: That has been answered already.

Mr. JOGENDRA NATH MANDAL: In view of the fact that the candidates were nominated by the District Magistrate and called for interview and in view of the fact that a list of their names was hung up in the verandah, will the Hon'ble Minister be pleased to state whether it is not incorrect to say that it is confidential?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: With regard to the second part of the question I am not aware of it, and with regard to the first part it seems that it is very well known to the member himself.

Special and Ordinary Debt Settlement Boards in Tippera.

***192. Mr. DHIRENDRA NATH DATTA:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to lay on the table a statement showing for the district of Tippera—

(*i*) how many Debt Settlement Boards, special and ordinary, have been established;

(*ii*) how many of the Ordinary Boards have been invested with power under section 7 of the Bengal Agricultural Debtors Act, 1935;

(*iii*) how many applications have been received separately by the Ordinary Boards and Special Boards; and

(*iv*) how many of them have been disposed of by the Ordinary Board?

(*b*) Is the Government aware—

(*i*) that the applications received by the Ordinary Boards cannot be disposed of for want of power under section 7 of the Act; and

(*ii*) that many applications of the agriculturist debtors cannot be made on account of the bar imposed by sub-section (*2*) of section 9 of the Bengal Agricultural Debtors Act?

(*c*) Are the Government considering the desirability of taking steps immediately in order to give relief to the agriculturist debtors?

(*d*) Are the Government considering the desirability of fixing the maximum amount of debt which can be dealt with by the Ordinary Board under the provisions of this Act as contemplated by sub-clause (*a*) of clause (*2*) of section 55 of the Bengal Agricultural Debtors Act?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*iii*) and (*iv*) The information is being collected and will be supplied to the hon'ble member when available.

(*b*) (*i*) No.

(*ii*) No. There is no bar to an application being made.

(*c*) Boards are invested with the several powers enumerated in section 7 as and when recommendations are received from local officers.

(*d*) No.

Statement referred to in the reply to clause (a) (i) and (ii) of the starred question No. 192.

(*i*) 5 Special and 234 Ordinary.

(*ii*) 37 Ordinary Boards have been invested with powers under sections 9 (*2*) and 13 (*2*) of the Act.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether the names of the persons on the Special Board of Hajiganj have been published in the "Calcutta Gazette". If not, why not?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I ask for notice.

Mr. DHIRENDRA NATH DATTA: With reference to (*b*) (*i*), is the Hon'ble Minister aware that an ordinary Board is not invested with power under section 7 (*2*) to decide any matter but it can only suggest a compromise?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: The hon'ble member is not correct when he refers to section 7: it is section 9 (*2*).

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether if the names have not been published in the "Calcutta Gazette", they are going to publish them within a month?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if he is aware of the fact that the ordinary Board can only suggest compromise but cannot come to a decision?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I would refer the hon'ble member to the provisions of the Act.

Foreign and country liquor shops in the Darjeeling district.

*193. **Mr. DAMBER SINGH GURUNG:** Will the Hon'ble Minister in charge of the Forests and Excise Department be pleased to state—

(*a*) the number of foreign and country liquor shops existing at present in the district of Darjeeling; and

(*b*) the number of them that have been settled with the hill men or with the men of this province?

MINISTER in charge of the FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) There are 15 foreign liquor and 29 country spirit shops in the district of Darjeeling.

(*b*) Out of 29 country spirit shops 5 have been settled with hill men and the majority of the remaining shops with up-country people.

Out of 15 foreign liquor shops 4 are held by hill men.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state the reason for settling 24 shops out of 29 with upcountry people?

The Hon'ble Mr. PRASANNA DEB RAIKUT: They have been settled long ago and it is not possible to oust them all at once.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if there were more applicants from hillmen?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I cannot say that.

Mr. KSHETRA NATH SINGHA: Will the Hon'ble Minister be pleased to state whether Government have accepted the policy of refusing licenses to non-Bengalees?

The Hon'ble Mr. PRASANNA DEB RAIKUT: No, Sir. The whole matter is under consideration of Government.

Licence fee for using bhang for medicinal purposes.

*194. **Mr. SHYAMA PROSAD BARMAN:** (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state whether it is a fact that the licence fee for using *bhang* for medicinal purposes has recently been raised from Re. 1 to Rs. 5?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for this increase?

The Hon'ble Mr. PRASANNA DEB RAIKUT: (*a*) Yes.

(*b*) To check abuses caused by the previous low rate of the licence fee.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state under what authority the fee has been raised from Re. 1 to Rs. 5?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I understand there were lots of abuses on account of low fees and that is why it has been raised from Re. 1 to Rs. 5.

Mr. NAGENDRA NATH SEN: Under what authority of law it has been raised?

Mr. SPEAKER: That question does not arise.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if the increment of licence fee has not caused hardship to Ayurvedic practitioners and Unani practitioners in the matter of dispensing of medicines?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Government are not aware of any such hardship.

Record-of-rights under Contai khas mahal.

***195. Mr. ISWAR CHANDRA MAL:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the record-of-rights in respect of settlement operation which has just been completed in the estates under Contai *khas mahal* were finally published during the months of May to July, 1937?

(*b*) If the answer to (*a*) be in the affirmative, is the Hon'ble Minister aware of the fact that the *khas mahal* authority of Contai has been enforcing the record-of-rights and realising enhanced rent from some of the *tauzis* under the *khas mahal* in violation of provision of section 110 of the Bengal Tenancy Act?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) No. The records were finally published in February and March, 1937.

(*b*) Does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether final publication includes final publication in the villages concerned?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is a matter of interpretation and I would refer the hon'ble member to section 110 of the Bengal Tenancy Act.

Salami system for settlement of arable waste lands of the Western Duars, Jalpaiguri.

***196. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) of the prevailing rate of *salami* according to classification of land for settlement of the arable waste lands of the Western Duars Government *khas mahal* in the district of Jalpaiguri;

(*ii*) that the actual tillers of the soil find it difficult to take settlements owing to the prevailing rate of *salami*; and

(*iii*) that the lands are being taken settlement of by *jotedars* as *benamidars* of cultivators of the soil?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, are the Government considering the desirability of doing away with this *salami* system in the interest of the tillers of the soil?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) The prevailing rate of *salami* varies from Rs. 5 to Rs. 10 per acre according to classification and situation of land.

(*ii*) No, the rate of *salami* is not considered excessive. It is also frequently reduced or waived altogether.

(*iii*) The arable waste lands are settled with actual tillers of soil after careful enquiry by the local officers.

(*b*) No such proposal is under consideration. Government will have inquiries made, however, in order to ascertain whether it is a fact that monied *jotedars* manage to get settlement of waste lands through *benamidars*.

Staff in the offices of the Magistrate and Collector of Mymensingh.

*197. **Mr. MIRZA ABDUL HAFIZ:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay a statement showing for the offices of the Magistrate and Collector of Mymensingh and all offices subordinate thereto, under the following heads:—

(*i*) the number existing at present of the Muslim and non-Muslim clerks in the—

(1) selection grade,

(2) upper grade,

(3) lower grade, and

(4) temporary service;

(*ii*) the steps taken during recent years to increase the percentage of Muslim clerks;

(*iii*) the number of Hindus and Muhammadans promoted from the lower grade during the years 1936 and 1937; and

(*iv*) the steps, if any, taken for maintaining any proportion between the Hindus and Muhammadans in the matter referred to in (*iii*)?

(*b*) Are the clerks promoted in consideration of merit or of seniority?

(*c*) If by merit, how is it judged?

(*d*) How many Muslims and non-Muslims have been appointed during 1936 and 1937 in temporary posts?

(*e*) How many officers, Muslims and non-Muslims, were appointed under permanent arrangement during the last 15 years in the Magistrate and Collector's—

(*i*) Munshikhana, and

(*ii*) English offices

at Sadar?

(*f*) Are the Government considering the desirability of increasing the ratio of Muslim officers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*), (*iii*) and (*d*) Statements are laid on the table.

(*ii*) The existing percentage is already in excess of the prescribed minimum of one-third.

(*iv*) Promotions to upper division posts are made with regard to merit and seniority only. No communal percentage is prescribed for such promotions.

(*b*) Both merit and seniority are taken into consideration.

(*c*) By reference to the officers' records of service and to special reports from their superior officers.

(*e*) The information is not readily available.

(*f*) The question of revising the communal percentages in public services is now under consideration of Government.

Statement referred to in the answer to clauses (*a*) (*i*) *and* (*iii*) *and* (*d*) *of starred question No. 197.*

	Non-Muslim.	Muslim.	Total.	Remarks.
(*a*) (*i*) (1) ..	3	1	4	There is no selection grade in district offices. Figure supplied relates to post with special rates of pays
(2) ..	10	5	15	
(3) ..	90	69	159	
(4) ..	44	35	79	
(*iii*) 1936 ..	4	2		
1937 ..	2	..	2	
(*d*) 1936 ..	4	4	8	
1937 ..	23	25	48	

Mr. MONOMOHAN DAS: Will the Hon'ble Minister be pleased to state if he is aware that in the month of December last, the District Magistrate of Mymensingh informed the local scheduled caste M. L. As. that he would appoint six men from the scheduled castes in the Collectorate; may I know how many of this number has been actually appointed?

Mr. SPEAKER: That question does not arise.

Mr. NAGENDRA NATH SEN: With reference to (*a*) (*ii*), will the Hon'ble Minister be pleased to state whether in view of the fact that the existing percentage is already in excess of the prescribed minimum of one-third, Government will be pleased to take steps to reduce it to its normal strength?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The minimum is minimum, it is not the maximum.

Mr. MIRZA ABDUL HAFIZ: With reference to (*a*) (*ii*), will the Hon'ble Minister be pleased to state whether one-third percentage is not low in the Mymensingh district in view of the fact that 75 per cent. of the population in the district is Muhammadan?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The whole matter is under the consideration of Government.

Land revenue of the Western Duars khas mahal.

***198. Mr. KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement regarding land revenue of the Western Duars *khas mahal* directly held by the Government showing separately—

(*i*) the amount of current and arrear demand in the year when the last settlement operation was taken up;

(*ii*) the amount of current and arrear demand in the year 1935-36 when the present enhanced rate of assessment was given effect to;

(*iii*) the total amount of arrear demand as it stood on 1st April, 1937;

(*iv*) the total amount of current demand in 1936-37; and

(*v*) the total collection on current demand and percentage of collection on current demand in the year 1936-37?

(*b*) Is the Hon'ble Minister aware that the cultivation of paddy, the principal crop in the *khas mahal* has considerably decreased from normal this year for want of sufficient rains?

(*c*) Are the Government, in view of the present economic condition of the area, prepared to consider the question of granting remissions of all the arrear rents and also of suspending enhanced assessment that was given effect to in the year 1935-36?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Current demand Rs. 6,47,868-15 and arrear demand Rs. 5,52,225-14-2.

(*ii*) Current demand Rs. 8,82,437-9 and arrear demand Rs. 9,17,232-7-3.

(*iii*) Rs. 9,94,990-7-10.

(*iv*) Rs. 8,73,545-4.

(*v*) Rs. 1,83,265-1-5. 20·97 per cent.

(*b*) and (*c*) No.

Mr. NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state the incidence of enhancement as referred to in answer (*a*) (*ii*)?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. KHAGENDRA NATH DAS GUPTA: With reference to (*b*), is the Hon'ble Minister aware that in the Government report published in the "Calcutta Gazette", the yield of paddy in the Jalpaiguri district has been shown 25 per cent. less than the normal yield?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: With reference to (*c*), will the Hon'ble Minister be pleased to state if partial remission of rent in the area is possible?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government do not consider it necessary.

Appointment of Mussalmans in the various branches under the Minister-in-charge of Revenue.

*199. **Mr. MD. ABUL FAZL:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the total number of appointments made in the various branches under his charge since 1st April, 1937; and

(*b*) the number of Mussalmans among them?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) 2,238.

(*b*) 1,115.

Maulvi ABDUL WAHAB KHAN: With reference to (*b*), will the Hon'ble Minister be pleased to state if the figure given for Muslims appointed include menials also?

Mr. SPEAKER: That question does not arise.

Acquisition of land for the extension of the Jadabpur Tuberculosis Hospital.

*200. **Mr. RASIK LAL BISWAS:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Local Self-Government Department aware—

(*i*) that the authorities of the Jadabpur Tuberculosis Hospital (Calcutta Medical Aid and Research Society) approached the Government for acquisition of more land for the extension of their hospital;

(*ii*) that an application was submitted to the Government in the year 1923 for the acquisition of the area bounded by the Gariahat Road on the west, Station Road on the north, and Kamarpara Road on the south and the hospital compound on the east;

(*iii*) the Society also approached the Government from time to time for financial assistance towards the acquisition of the said area; and

(*iv*) during the last session of the Assembly the Hon'ble Minister of Public Health assured the House that the Government would try their best to provide Rs. 67,000 in their budget for the year 1938-39 to enable the Society to complete the acquisition of the said area?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for delay in acquiring the said area for the Society?

(*c*) Is it a fact that in the meantime it has been decided that a portion of the said area is to be acquired for the Calcutta Electric Supply Corporation for the purpose of their erecting a Transformer House?

(*d*) Is it also a fact that the Land Acquisition Department concerned have not invited any objection to this acquisition for the Calcutta Electric Supply Corporation, but have asked the Society to exclude this plot from their acquisition scheme?

(*e*) Is it a fact that the Society have already filed an objection on the following grounds:—

(*i*) that the land would be required for their own purpose; and

(*ii*) that it would not be desirable to erect a Power House in such a close proximity to the hospital compound?

(*f*) Are the Government considering the desirability of taking steps in the matter immediately?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Syed Nausher Ali): (*a*) (*i*) Yes.

(*ii*) Yes, but the boundaries are more correctly given in Notification No. 3834 L.A., dated the 10th April, 1924, a copy of which is placed on the Library table.

(*iii*) Yes, the Society approached Government from time to time for financial assistance towards various projects including acquisition of various areas of land which did not always coincide with the area mentioned in (*a*) (*ii*).

(*iv*) An assurance was given that attempt would be made to provide the sum mentioned by the member, but not for acquiring the entire area referred to in (*a*) (*ii*).

(*b*) As the Society failed to deposit the estimated cost of acquisition of the entire area intended originally for acquisition, the Land Acquisition proceedings for a portion of the land referred to in (*a*) (*ii*) had to be withdrawn in 1931. There was no delay on the part of Government.

(*c*) and (*d*) On the application of the Calcutta Electric Supply Corporation filed on the 8th April, 1937, proceedings for acquisition were started on their behalf in respect of a portion of the land released from the acquisition proceedings in 1931.

Objections were duly invited according to law but none was filed by the Calcutta Medical Aid and Research Society within the statutory period.

Subsequently, on the 15th September, 1937, the Society filed an application for acquisition of lands including the plot which was already under acquisition on behalf of the Calcutta Electric Supply Corporation.

(*e*) Yes.

(*f*) The matter is under the consideration of Government.

Mr. SURENDRA NATH BISWAS: With reference to answer to (*c*) will the Hon'ble Minister be pleased to state when was that objection filed?

The Hon'ble Mr. SYED NAUSHER ALI: I am sorry; I have not got it here just now. I ask for notice.

Mr. SURENDRA NATH BISWAS: With reference to answers to questions (*c*) and (*d*) will the Hon'ble Minister be pleased to state whether the objection was filed within the statutory period or not?

The Hon'ble Mr. SYED NAUSHER ALI: The answer is there. It was after the expiry of the statutory period.

Mr. SURENDRA NATH BISWAS: Has the Hon'ble Minister considered the desirability of not allowing another Power House to be erected in close proximity to the Jadavpur Hospital?

The Hon'ble Mr. SYED NAUSHER ALI: The whole matter came to my notice only when this question was put and it is under my consideration.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the acquisition of land on behalf of the Calcutta Electric Supply Corporation will seriously affect the expansion of the Tuberculosis Hospital as now contemplated?

The Hon'ble Mr. SYED NAUSHER ALI: This again is more or less a matter of opinion. I cannot without any inspection of the locality give any information.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister considering the desirability of making local inspection and examining the question thoroughly?

The Hon'ble Mr. SYED NAUSHER ALI: I think my Secretary has already examined the locality thoroughly.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if the acquisition proposal on behalf of the Calcutta Electric Supply Corporation has been postponed for the consideration of the application of the Jadavpur Hospital authorities?

The Hon'ble Mr. SYED NAUSHER ALI: I do not think it has been postponed and until the matter is considered finally and a decision arrived at it won't be quite proper to postpone.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether it is not desirable that the Government should take steps to prevent the Calcutta Electric Supply Corporation from getting that plot of land which is required by the Calcutta Medical Aid and Research Society, so that their interests may not suffer.

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what steps have the Government taken so far in order to prevent the Calcutta Electric Supply Corporation from acquiring that plot of land?

The Hon'ble Mr. SYED NAUSHER ALI: All that I can say is that immediately I got notice of this I had a talk with my colleague in charge of the Land Acquisition Department.

Mr. B. MUKHERJEE: Will the Hon'ble Minister be pleased to state whether he is in a position to keep the matter pending till he enquires into the matter personally?

Mr. SPEAKER: That question does not arise.

Cancellation of ban on certain associations in Midnapore.

***200A. Mr. ISWAR CHANDRA MAL:** (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware—

(*i*) that 110 associations and institutions including the Contai National School in the district of Midnapore are still under ban;

(*ii*) of yesterday's Government Press Note regarding withdrawal of the ban from some of those 110 associations and institutions; and

(*iii*) that neither the definite number, nor the names of the associations and institutions from which the ban has been withdrawn since the 1st March have been given in the Government Press Note?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the names of the associations and institutions from which the ban has been withdrawn?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) & (*ii*) No. The ban has been removed in the case of all the associations in Midnapore numbering one hundred and ten. A copy of a Press Note dated 3rd March is laid on the Library table.

(*iii*) The number has been given but not the names.

(*b*) A list of associations in Midnapore is placed on the Library table.

Mr. ISWAR CHANDRA MAL: Will the Hon'ble Minister be pleased to state whether the articles and the properties seized will be returned?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit, that this question does not arise.

Mr. ISWAR CHANDRA MAL: Will the Hon'ble Minister be pleased to state whether Government would make good the damage done to the institution during the period the ban was in force?

Mr. SPEAKER: I am afraid that question does not arise.

Mr. DEBENDRA LAL KHAN: Will the Hon'ble Minister be pleased to state when the other restrictions so far as the town of Midnapore is concerned are going to be removed?

The Hon'ble Khwaja Sir NAZIMUDDIN: So far as the restrictions are concerned they will be removed in due course according to the policy enunciated by Government as soon as the situation improves.

Rai HARENDRA NATH CHAUDHURY: Will the Hon'ble Minister be pleased to state how many institutions are under ban at present?

The Hon'ble Khwaja Sir NAZIMUDDIN: None in Midnapore.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Light at Serajganj ghat station on the Eastern Bengal Railway.

43. Mr. CHARU CHANDRA ROY: (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware—

(*i*) that the Eastern Bengal Railway station at Serajganj *ghat* is not properly lighted causing great disadvantage to the passengers;

(*ii*) that a ferry steamer runs between the Serajganj *ghat* and Jaggernathganj *ghat* carrying passengers from and to Calcutta;

(*iii*) that this steamer has only one latrine for each of the third and inter class carriages; and

(*iv*) that third and inter class carriages between Narayanganj-Juggernathganj and Bahadurabad are not cleansed, washed and swept and many of them have no light in the latrines?

(*b*) Are the Government considering the desirability of drawing the attention of the Railway and steamer authorities in these matters?

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar: (*a*) (*i*) There are nine Coleman lamps and one ordinary lamp already in use. The Railway authorities are considering whether any additional lamps are necessary.

(*ii*) Yes.

(*iii*) I have no information.

(*iv*) I am informed that all the carriages are regularly cleansed, washed and swept. As regards absence of lights in latrines of certain carriages this is due to the fact that certain carriages of an old type

not equipped with lights in the latrine compartments, are still in use. Illumination from the main compartments is let by glass panels placed over the latrine doors.

(*b*) The attention of the Railway authorities has been drawn. As to the latrine accommodation in the steamer service, I shall refer the matter to the Hon'ble Minister for Commerce, Labour and Marine.

Granting of licence to Messrs. O. K. Restaurant for foreign liquor at Dacca.

44. Maulvi AULAD HOSSAIN KHAN: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state whether it is a fact that licence has been granted to Messrs. O. K. Restaurant at Dacca for foreign liquor in spite of the objections of the public and the Licensing Board?

(*b*) Have the Government received any report that the restaurant is used by local students?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister be pleased to state the reason for rejecting the objections against the granting of the licence?

The Hon'ble Mr. PRASANNA DEB RAIKUT: (*a*) The Licensing Board approved of the grant of the licence in question and there was no vehement opposition on the part of the public.

(*b*) It is believed that young men not necessarily students frequent this restaurant.

(*c*) This is a matter within the discretion of the Licensing Board, and the Excise Commissioner and Government have no legal power of interfering in individual cases.

Mr. AHMED ABUL HOSAIN: Will the Hon'ble Minister be pleased to state with reference to answer (*a*) whether it is not a fact that the Licensing Board has no power to grant licenses?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It can only sanction shops, and can recommend granting of licenses.

Dr. H. C. MOOKERJI: Is the Hon'ble Minister aware that the O. K. Restaurant is situated on Johnston Road next door to the Mukul Cinema which is patronised very largely by students. Immediately south of this House is Ukil Institution and on the north is National Medical Institution; further on the Dacca Collegiate School, St. Gregory School, Pogose School and the Jagannath Intermediate College, Regent Park Hall and two Baptist Churches?

Mr. SPEAKER: I am afraid you have supplied all the information. It is not a *bona fide* request for information.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to tell us the amount of opposition with reference to answer (*a*) necessary for the purpose of cancelling the license of the Restaurant?

The Hon'ble Mr. PRASANNA DEB RAIKUT: There is the Licensing Board.

Mr. SYED JALALUDDIN HASHEMY: There is the expression "vehement opposition" in answer (*a*) and I want to know from the Minister what he means by "vehement"?

(No reply was given.)

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if it is a fact that there are many schools, public institutions and two churches in the neighbourhood of the Restaurant?

Mr. SPEAKER: There again you have supplied the necessary information.

Mr. SHAMSUDDIN AHMED KHANDKAR: Will the Hon'ble Minister be pleased to state if it is a fact that the Licensing Board objected to the granting of this license?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It was objected to once. Then a small sub-committee has been formed and that sub-committee is enquiring into the matter.

Muslims in the Court of Wards Estates in Bengal.

45. Maulvi MD. ABDUS SHAHEED: Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing for the present time—

(*a*) the number of Court of Wards Estates in Bengal; and

(*b*) the percentage of Muslim employees therein as compared with other communities?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) The number of Court of Wards Estates in Bengal is 142.

(*b*) Information regarding the percentage of Muslim employees as compared with other communities is not readily available.

Maulvi ABUL HASHIM: With reference to (*b*) will the Hon'ble Minister be pleased to state whether the percentage of Muslim employees as compared with other communities is not readily available, because if it were made available and placed before the House, it would have shown that the number of Muslim employees is amazingly low.

Mr. SPEAKER: If you consult the Rules and Standing Orders you will find that you cannot put questions of the nature of an inference.

The Hon'ble Khwaja Sir NAZIMUDDIN: ——and insinuation.

Names, qualifications, etc., of Special Officers for the Debt Settlement Boards.

46. Maulvi MOSLEM ALI MOLLAH: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state the—

(1) names,

(2) residence,

(3) age, and

(4) academic qualifications,

of the Special Officers for the Debt Settlement Boards, that have been recruited since 1935?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the recruitment was made under any specific rules; and

(*ii*) whether those rules were adhered to in all cases?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state those rules?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) The compilation of such a statement involves the expenditure of so much time and labour that I regret I cannot cause it to be undertaken.

(*b*) (*i*) No.

(*ii*) and (*c*) Do not arise.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the total number of Debt Settlement Board officers, so that we can form an idea of the time and labour involved?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: So far as this question is concerned, the hon'ble member wants information since 1935. It refers to 80 officers scattered all over the Province and some of them have already left their service. It is not possible to get all the information that is asked.

GOVERNMENT BUSINESS

DEMAND FOR GRANT.

7—Land Revenue.

The Hon'ble Sir BIJOY PROSAD SINGH ROY: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 30,85,000 be granted for expenditure under the head "7—Land Revenue."

Sir, the demand under head "7—Land Revenue" for the year 1937-38, that is, for the current year, was placed before this House only about 6 months ago, and in that connection various points in the Revenue Budget and with regard to the land revenue administration of the province were fully explained, and I do not propose to repeat them on the present occasion. Coming to revenue receipts under this head it will be seen that in 1938-39 we expect a revenue of Rs. 3,50,00,000 as against Rs. 3,51,00,000, the estimate in the budget for 1937-38 and the revised estimate of Rs. 3,64,00,000. In the estimates for 1938-39 it will be seen that the estimate of revenue and receipts for 1938-39 has been fixed at Rs 1,15,000 below the estimate for 1937-38. On the assumption that the collections will be normal and that the "fixed" collections—by which I mean collections from the permanently-settled estates and estates which have been settled with people for a fixed number of years,—the estimate is Rs. 9,00,000 below the estimate for 1937-38, while the collections from Government estates have been placed at Rs. 93,00,000, which is the revised estimate for the current year. In this connection, Sir, I would like to sound a note of warning, though it may be rather unpleasant, that in some of the districts like the districts of Bakarganj, Noakhali, 24-Parganas and Midnapore, collections from the khasmahals are not proceeding quite satisfactorily as in previous years, and in the opinion of the Collectors this is due to two factors. Firstly, the low price of paddy, and secondly, propaganda on the part of some unscrupulous people to the effect that Government have decided to remit all arrears and reduce rents by 50 per cent. (**Mr. ABU HOSAIN SARKER:** In consequence of the Patuakhali propaganda). Sir, unscrupulous people are trying to create this impression and thereby misleading the simple cultivators.

Anybody in this House and outside who has any influence for creating public opinion should try to remove this false impression. (Mr. TULSI CHANDRA GOSWAMI: Ask your Chief Minister to stop such propaganda). The Minister is doing his best. (Mr. TULSI CHANDRA GOSWAMI: I said "the Chief Minister".) But I hope that those who are in the opposition have also got their duty to the country. Now to come back to my subject on the top of this, out of deference to the wishes of the members of this House Government have taken the risk of suspending the operation of the certificate procedure for two years in the khasmahals and in Court of Wards' estates, (Babu NAGENDRA NATH SEN: That is from 1345 Bengali year) and have also agreed to repeal section 158A of the Bengal Tenancy Act giving special privilege to private landlords to realise rents by the use of certificate procedure. The success of this experiment will depend on the general atmosphere in favour of collection of rent and on the co-operation of the tenants in paying rents regularly and voluntarily. Besides introducing a Bill for removing the pressing grievances of the tenants and taking legislative action for preventing the realisation of abwabs, Government have also issued instructions to the Collectors to impress on all landlords in the different districts the necessity and desirability of checking this pernicious practice, and I understand that the Collectors have already met the landlords and I have no doubt that they have succeeded in impressing upon them the necessity of controlling their agents in giving up this habit. Besides this, the British Indian Association, the premier landholding association in this province, has issued a circular to all the landlords in the province under the signatures of well-known and prominent zemindars, requesting them to take all necessary steps to prevent the realisation of abwabs. I think this will prove very effective. As regards the improvement in the management of khasmahals there were suggestions made during the last budget session and Government have appointed an I.C.S. District Officer to go into the whole question. He will visit all the districts where there are khasmahals and will inquire into the various problems such as settlement of lands with tenants, the rate of rent, the difficulties of realisation of rent, and other grievances of the tenants.

It is expected that he will submit his report within the current year. This officer has already visited Noakhali and has, I understand, at present gone to Barisal. As regards giving relief to the tenants where the rate of rent is exorbitantly high, I had the privilege of announcing the Government policy in this House just a few days ago in connection with a motion that was moved by one of the honourable members. In this connection I may mention that Government have already taken steps for giving relief to the aboriginal tenants in two parganas of the Mymensingh district, viz., Susang and Sherpur, where these poor people who brought large tracts of land under cultivation were deprived by some zamindars and moneylenders of their lands.

By the use of section 112, Government propose to reinstate them on their lands as far as practicable. I would just like to point out that these two parganas are partially excluded areas and His Excellency the Governor has got his special responsibility with regard to this area. So without any political pressure Government have taken steps for giving relief to the aboriginal tenants in those parts of the Mymensingh district.

Sir, the suspension of the certificate procedure may require appointment of a larger khas mahal staff for realisation of rent, and this may ultimately entail larger expenditure under the head khas mahal. But Government are prepared to do so if that gives relief to the tenants and at the same time realisation of Government revenue does not suffer. In the next year's budget we have provided a lakh of rupees more——

Mr. SPEAKER: You must finish in another two or three minutes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: ——for improvement works in khas mahal. Survey and Settlement operations are going on only in three districts, viz., Dinajpur, Rangpur and Howrah. (DR. NALINAKSHA SANYAL: Also in Bogra.) No. And Government hope they will be completed within the next two years. With regard to land revenue settlement, Government only propose to complete the land revenue settlements which were in hand but without providing for any enhancement of rent. In some areas, of course, the land revenue setlement is unavoidable because of the alluvial operations of rivers.

(At this stage the Hon'ble Minister having reached the time-limit resumed his seat.)

Mr. SPEAKER: I propose that motion Nos. 38-44, and motion No. 45 of Mr. Abdul Hakim will be taken together. So immediately after item Nos. 38-44 is moved, I propose to call Mr. Abdul Hakim to move his motion as both of them are of an identical nature. I propose then to continue the discussion and to put the motions to vote, if pressed.

Point of order regarding the initiation of discussion on cut motions.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, I seek your permission to make a statement so that the position may be clarified as regards the attitude of the Congress Party; and it might to some

extent help a solution of the difficulty which arose between you and our party. I wish to say on behalf of my party and under the instruction of my leader Mr. Bose who is unavoidably absent, that we do not budge an inch from the position that it is the prerogative of the principal Opposition Party to initiate discussion. At the same time we do not wish to resile from the agreement which we arrived at with you, Sir, and other party leaders, so that your giving priority to another group in this matter is not at all objected to. It should not be thought that we want to monopolise all the talking. It is far from my intention, it is far from the intention of Mr. Bose and it is far from the intention of any one on this side of the House to prevent other people from speaking, by assuming priority in every matter. But at the same time I wish to say that it is the desire of the House that you should, as far as possible, stick to the arrangement, that is to say, the arrangement by which two of our speakers should get a chance under this demand. There are two motions which were officially communicated by our party to you on this subject of land revenue, and I hope, Sir, you will see that those motions come up for discussion we do not wish to shut out other people's talk. Our purpose is that the agreement, which was arrived at, should be adhered to.

Mr. SPEAKER: I am extremely grateful to the Deputy Leader of the Congress Party for the straightforward attitude which he has taken up on this intricate question. I can assure him that when I prepared the agenda, my sole intention was to see that within the limit of rights of all the parties the Opposition should get their due and just share. I am glad to say however that while I recognise the difficulty in a matter like this, all is well that ends well, and I hope that henceforth everybody will take a matter like this in the same spirit——

Dr. NALINAKSHA SANYAL: But that is not over.

Mr. SPEAKER: Dr. Sanyal, I think I cannot answer you. However, I can say this much that I will try to expedite with the concurrence of all the sections of the House to expedite and finish item No. 45 regarding the proposed Revenue Enquiry Commission so that there may be an opportunity of coming to the next item. I have, therefore, decided that the subject of land revenue may be divided into two groups—one relating to the Revenue Enquiry Commission and the other relating to the Permanent Settlement comprising items Nos. 46, 47, 48, 68, 71, 72, 76-87, and 88. They are all practically of an identical nature, and that group will be taken next. The opposition will get both their motions in that group.

Demand for grant.

Mr. SYED ABDUL MAJID. I beg to move that demand of Rs. 30,85,000 under the head "7—Land Revenue" be reduced by Rs. 100 to raise a discussion on the constitution and terms of reference of the proposed Land Revenue Commission.

During the last 100 years a great improvement in agriculture and animal husbandry has been made in Europe, America and the Colonies. A vast amount of capital has gone to improve the lands, to construct farm buildings and to purchase farm machineries. These improvements are really confined to countries where the system of land tenure has been overhauled and farmers had been given a right of absolute ownership in the soil to increase their incentive for improving their farm lands and to increase the productive power of the land.

Bengal has not participated in the general progress of agriculture in other countries. One of the principal reasons is her system of land tenure. The land tenure system in this country is really a system of partnership in land where no one is the full or absolute owner of land This system was shaped by those great English experts who presided over the destinies of the country at the close of the 18th century or in the beginning of the 19th. What is the effect of this system? It has created a class of landlords who make no contribution to the economic life of the province, who produce nothing and make nothing but sit as an incubus upon her agricultural industry hindering all progress and development of her agriculture.

Sir, I am not speaking to an English expert, but I am speaking to a body of men who know the condition of the country. Everyone in this House knows how during the last century the class of landlords have increased and multiplied. In some places, we have got a chain of as many as 14 landlords between the cultivator and the estate. It seems that that length of the chain is proportionate to the degree of the fertility of the soil. In districts where the soil is less fertile you have fewer landlords, but in districts where the soil is fertile, the only limit to subinfeudation is the limit of rent which you can realise from the tenant. Every impartial observer will agree that the system of subinfeudation has been the curse of Bengal, the curse of her agriculture, the curse of her agricultural prosperity. This has been the sum total of the effect of the Permanent Settlement.

The land laws in Bengal are full of pitfalls. A tenant's right may be sold off not only for his own default but for the default of any one over him in the chain of landlords. It is not surprising that no one feels any interest in improvement of the land. If you want to improve the land you must make somebody the absolute and full owner of the land and in the very nature of things, it should be the cultivator himself. It is really the system of the peasant proprietorship that

has created the great revolution in agriculture and agricultural improvement and animal husbandry in modern estates. It is, therefore, high time that the system of land tenure in Bengal should be recast and overhauled in a manner which will make the cultivator the real proprietor of the land, and approximate his position to that of the peasant proprietors, the class of people who are responsible for the great improvement in Europe and America, and in order to achieve that object, a Commission of experts who are thoroughly conversant with the land tenure system of Bengal and the social and economic conditions of the cultivators should examine the problem and make their recommendations as regards the manner in which the system of land tenure should be modified. We are definitely of opinion that the Chairman of the Commission should not be imported from England. He will lack the essential knowledge and qualifications that are requisite for the task inasmuch as the system of land tenure in England is entirely different from that prevailing in Bengal. We do not want any expert who knows nothing of Bengal and nothing of the trouble and tribulations of the people. If you are not a cultivator yourself, you know nothing of the difficulties and hardships of the cultivators' life, of the laws that oppress him, and of the system that is crushing him under its weight. If you are not a tenure-holder yourself, you know nothing of the hard lot of the tenure-holders. If you really want experts to examine the problems about the land tenure system, your experts must come from the body of the cultivators, from the body of the tenure-holders and from the body of its own people, who have suffered and are suffering under that system. We do not want such an expert who knows as much of Bengal as the man in the moon. We shall be all with you if you make an honest attempt to solve the agricultural problem of Bengal, but if we find that what you are going to do is only to shelve the problems or delay the solution of the problems, which are agitating the country—the problem of agricultural decadence, the problem of the starving and the naked millions, it shall be our duty to oppose you at every stage, and if we cannot do more we shall at least save the large amount that is going to be squandered on the object. I make one condition—a condition on which the approval to the appointment of the Commission should be given or withheld. I attach great importance to the terms of reference on which the Commission will be appointed. I attach equally great importance to the personnel of the Commission. Let the Government take the House into their full confidence. Let them give an assurance to the House that no Commission will be appointed unless the House will be given a full opportunity to discuss the personnel of the Commission and the terms of its reference. Let them assure us that no Commission will be appointed unless the House will approve both the above conditions by a formal resolution. If you will do that, we shall give you our

fullest support; otherwise our position will be awkward. We may not support you for the passing of the grants.

With these words, Sir, I commend my motion for your consideration and acceptance of the House.

Maulvi ABDUL HAKIM: Sir, I beg to move that the demand for Rs. 30,85,000 under the head "7—Land Revenue" be reduced by Rs. 100 to raise a discussion on the question of dropping the proposed Revenue Enquiry Commission.

সভাপতি মহাশয়, গভর্ণমেণ্টের তরফ হইতে পুনরায় যে একটী Land Revenue Enquiry Commission এর প্রস্তাব করা হয়েছে—আমি এই প্রস্তাবকে সম্পূর্ণ অনাবশ্যক মনে করি, কেন এই কমিশন আমি সম্পূর্ণ অনাবশ্যক মনে করি তার কারণ এটা কোন উপকার না করিয়া বরং অনিষ্টই করিবে। আপনারা জানেন এ প্রদেশে একটা ব্যাপকভাবে survey এবং settlement হইয়াছে। যে প্রদেশে একটা বিরাটভাবে—জরিপ জমাবন্দী হইয়াছে এবং জমি সম্বন্ধে অবশ্য জ্ঞাতব্য যত সব বিষয় লিপিবদ্ধ হইয়াছে সেই প্রদেশে আবার হাজার হাজার বা লক্ষ লক্ষ টাকা অকারণ ব্যয়ে একটা তদন্ত কমিশন বসাইবার কোন আবশ্যকতা আছে বলিয়া আমি মনে করি না। বাংলাদেশের কোন্ প্রজা মহালে বা কোন্ পরগনায় প্রজার খাজানা কত আদায় হয় এবং সদর খাজানাই বা কত তাহা settlement এর যে সমস্ত রেকর্ড তৈরী হইয়াছে সেই সমস্ত record দেখিয়া গ্রাম্য পাঠশালার একটী ছাত্রও অনায়াসে বাহির করিতে পারে। এ অবস্থায় বিরাট ব্যয়ে একটি তদন্ত কমিশন বসাইবার প্রস্তাব আমি অসমিচীন মনে করিতেছি। এই settlement record এ কার বাড়ীতে কয়টা বাঁশের "ছোবা" আছে কার বাড়ীতে কয়টা নারিকেল গাছ আছে তাহাও লেখা আছে। (producing a map) এই ম্যাপ থেকে আমি বলিতে পারি কার খেতের আইল খানা কোন দিকে কতটুকু বাঁকা, তাহাও এই map থেকেই বলা যায়। অর্থাৎ জমি জমা সম্বন্ধে যা কিছু জ্ঞাতব্য সে সমস্তই settlement record এ আছে। আমি আরো বলিতে পারি যে settlement record এ যা লেখা আছে তাহার বাইরে কোন কিছু জানিবার দরকার কমিশনের নাই এবং আপনাদেরও নাই। আপনারা একটা বিষয় মনে রাখিবেন,—যে, যখন settlement হইয়াছিল তখন রাজস্ববিভাগের বড় বড় কর্ম্মচারীগণ প্রত্যেক মহালে বা পরগনায় গিয়া সমস্ত বিষয়ের তদন্ত করিয়াছিলেন [illegible] সাহেবের মতন লোক, বিট্‌সন বেলের মতন লোক নিজেরা গ্রামে গ্রামে গিয়া সমস্ত বিষয় জানিয়া তাহা লিপিবদ্ধ করিয়াছেন। প্রজার খাজনার নিরিখ কমাতে গেলে দুইটী উপায় আছে। এই দুইটী উপায় সম্বন্ধে আমি কিছু বলিতে চাই। প্রজার খাজনা কমাতে গেলে সর্ব্বোৎকৃষ্ট উপায়, প্রতি মহালে বা পরগনায় যে সদর খাজানা আদায় হয় প্রতি একরে তাহার অনুপাতে প্রজার খাজনা সাব্যস্ত করাই করাই সমিচীন হইবে। এ অবস্থায় চিরস্থায়ী বন্দোবস্ত উঠাইবার কোন আবশ্যকতা নাই। এবং আমি নিশ্চয় করিয়া দেখাইতে পারি যে, চিরস্থায়ী বন্দোবস্ত বজায় রাখিয়াও প্রজার খাজনা কমান যাইতে পারে। আমি এ সম্বন্ধে একখানা ছোট বই লিখিয়া প্রত্যেক মেম্বরের নিকট বিলি করিয়াছি। যাঁহারা এই বইখানা পড়িয়াছেন তাঁহারা স্পষ্টরূপে বুঝিতে পারিয়াছেন যে, জমিদারী প্রথা বজায় রাখিয়াও প্রজার খাজানা সন্তোষজনক রূপে কমান যাইতে পারে। আর permanent settlement উঠাইবার ক্ষমতা আমাদের হাতে নাই। যেমন

পার্মানেন্ট সেটেলমেন্টকে আমরা নিজ ক্ষমতাবলে লালদিঘির জলে বিসর্জন দিয়া প্রজাদের খাজানার টাকা প্রজাদের হিতের জন্য ইচ্ছামত বণ্টণ করিতে পারিব সেই দিন সেটা উঠাইবার চেষ্টা করা আমাদের পক্ষে সম্ভিচীন হইবে। তার আগে সদর খাজানার অনুপাতে প্রজার খাজনা সাব্যস্ত করাই সঙ্গত হইবে। এবং এই ভাবে খাজানা কমাইবার জন্য আমি একটি সংশোধন Bil. ও আইন সভায় দাখিল করিয়াছি।

এর উপরে আরো কোন উপায় আছে কি না। সেইটা হইতেছে দ্বিতীয় উপায়। সে উপায় হইতেছে উৎপন্ন ফসলের মূল্যের অনুপাতে প্রজার খাজনা নির্দ্দেশ করা। যদি আমরা চিরস্থায়ী বন্দোবস্ত মতে জমিদারকে জমির মালিক বলেই মনে করি—তাহা হইলেও উৎপন্ন শস্যের মূল্যের অনুপাতে প্রজাদের জমির খাজনা নির্দ্ধারণ করিয়া তাহা হ্রাস করা যায়। এখানেও দেখাইয়া দেওয়া যায়, যে যেভাবেই খাজনা কমান হউক না কেন সেটলমেন্টের কাগজের বাইরে যাবার কোন দরকার নাই। তবে, অনেকেই বলিয়া থাকেন—দেশের সর্ব্বাঙ্গীন কল্যাণের জন্য চিরস্থায়ী বন্দোবস্ত উঠাইয়া দেওয়া হোক। চিরস্থায়ী বন্দোবস্ত বিদ্যমান থাকায় প্রজার দেয় খজনার অতি সামান্য অংশই যে গভর্ণমেন্ট পেয়ে থাকেন তাহা সকলেই অবগত আছেন। এসম্বন্ধে প্রজার পক্ষ হইতে যে হিসাব ধরা হইয়া থাকে সেটা বাদ দিয়া গভর্ণমেন্টের বার্ষিক রাজস্ব বিবরণীতে যা লেখা আছে তাহাই যদি ধরা যায় তাহা হইলেও জানা যায় যে জমিদারগণ প্রজাদের নিকট হইতে কেবল খাজনা বাবদই প্রায় ১৭ কোটি টাকা আদায় করেন, তাহারা কালেক্টরীতে দাখিল করেন মাত্র ২॥ কোটী টাকা। বাকী ১৪॥ কোটী টাকা তারা নিজেরা ভোগ করেন। কাজেই দেখা যায় যে, যে কয়েক কোটি টাকা স্বয়ং গভর্ণমেন্ট এদেশের প্রজাদের সুখ শান্তির জন্য আদায় করেন তাহা অপেক্ষা অনেক বেশী টাকা জমিদারগন খাজানা আদায় করবার ওজুহাতে কেবল মুনাফাই করেন।

(At this stage the member having reached the time-limit resumed his seat.)

(At this stage the House was adjourned for 15 minutes.)

After adjournment.

Mr. SPEAKER: Order, order. I propose to close this debate immediately by calling upon Sir Bijoy, if the Opposition has no objection and on the close of the debate on this motion the House will proceed to take up the next motion.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Mr. Speaker, Sir, nobody realises more than Government the importance of the subject before the House. The complexity of the Bengal Land Tenure system is well known to the members of this House. I do not think that any body would suggest that a change in the land tenure system of Bengal—a system that has been in operation at least since 1793—can be brought about without a thorough and sifting enquiry into the whole question. Sir, the Permanent Settlement has given rise to various subordinate interests, and the subinfeudation, as was very rightly pointed out by one of the speakers, is a direct result of the

Permanent Settlement. The aim and object of Government is to bring about an improvement in the economic condition of the peasantry of Bengal. Now, the point is whether an improvement of the economic condition of the peasantry of Bengal can be really brought about without a change in the land tenure system of the province. Merely by amending the Bengal Tenancy Act, merely by doing away with the rights of the landlords here and there, or by giving certain facilities to the tenants about payment of rent or reduction of the rate of interest, I do not think that one can bring about a real improvement in the cultivators' economic condition. In order to bring about an improvement in the economic condition of the owners the intermediary interests have got to be eliminated, and that requires a thorough and sifting enquiry into the whole question. The value of the different interests has got to be ascertained. There can be no suggestion for an expropriation. If the holders of intermediary interests have got to be eliminated, certainly their rights have got to be purchased on payment of proper compensation. That is one aspect of the question.

The second aspect, Sir, is whether it is at all feasible to do away with the Permanent Settlement in view of its great ramifications; and if it is done away with, what effect it is likely to have on the economic condition of the country, on the administrative machinery of the province, on the condition of the landlords, on the condition of the tenure-holders and ultimately on the condition of the tenants? Suppose it is possible to do away with landlordism the question arises whether these tenants—the actual tillers of the soil—can be brought directly under Government as landlords. Suppose that it is possible to do so, the next question that arises is whether the agriculturists' rent should be fixed in perpetuity or not. Another question which is of very great importance is what should be the rate of rent, how it should be assessed, what proportion it should bear to the produce of the land, and whether it should be fixed with reference to the productivity of the land or not. Then comes the question of realisation of rent. Suppose Government become the ultimate landlords, how are they going to realise rent and what machinery they propose to substitute in place of the Zamindary system. All these various questions have got to be investigated. The problem is as big as the life of a nation. There is no denying this fact, and I venture to think that only an impartial commission with an impartial Chairman will be a suitable body to go into the whole question and make its recommendations on a problem like this. It has to be approached with an unbiased mind, not in the interest of any particular class or community but in the larger interests of the country as a whole. So, Government propose to appoint a commission which will be non-political but with representatives of the various interests that are interested in the land tenure system of the province.

Mr. TULSI CHANDRA GOSWAMI: So, a man is to be brought from England?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, my friend interjects by saying that a man is to be brought from England.

Mr. TULSI CHANDRA GOSWAMI: No, no. I did not say that, but that is what you want to do.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, Government have not made up their mind on this question, but on one point Government have made up their mind, and that is that the Chairman must be an impartial man—a man with an absolutely impartial mind. That is the principle on which Government have decided to constitute the commission. The terms of reference would necessarily be very wide and broad. Sir, the terms of reference have not yet been finally drawn up but Government have just drawn up the outlines which are certainly not final, and they are quite prepared to accept suggestions from the members of this House.

For the information of the House I may mention that some of the points that Government propose to include in the terms of reference are—to what extent the underlying principle of the Permanent Settlement are of value to the social and economic structure of Bengal, or how does the condition of the tenantry in this province compare with the condition of the tenantry in other provinces where there is no Permanent Settlement, how can the superior interest in land can be acquired, whether it is financially or politically possible or not, whether the present method of realisation of rent is quite effective and whether it causes hardship to the tenants or not: these are some of the points that Government propose to include in the Terms of Reference. Their main idea is to make the Terms of Reference as wide as possible and constitute the Commission with representatives of all the different interests and to place at the head of the Commission a chairman with an unbiased mind so that the whole question may be approached without any preconceived opinion.

Mr. SASANKA SEKHAR SANYAL: Are we to understand that the other members will not be unbiased?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is expected that they will not be unbiased. So that is the idea and I do not think that the solution of a problem so big and intricate as the change in the land-tenure of Bengal can be brought about without an enquiry; and an enquiry into this important matter is neither possible nor desirable through any other body than the body the constitution of which I have described as non-political. With these words I oppose the cut motion moved by the honourable member.

Mr. ATUL KRISHNA GHOSE: The Hon'ble Minister has said that other members will not be unbiased, and as two negatives make one affirmative, are we to understand that other members will be biased.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have not the command over language like my friend over there.

Maulvi TAMIZUDDIN KHAN: Sir, are you going to close the debate? If so, I submit that it is desirable that some latitude should be given in this case and we should have some discussion before closure, because, as the Hon'ble Minister has said, upon its fate depends the life of the nation.

Mr. SPEAKER: My difficulty is that I am guided more or less by the opinion expressed by the Congress Party who are anxious to concentrate on one motion. So far as this motion is concerned, I find that there is no objection to its closure.

Mr. JOGESH CHANDRA GUPTA: So far as we are concerned, we are against a debate being initiated for the purpose of withdrawing it afterwards. But we understand that this debate has been seriously initiated and it will go to a division, so it stands in the position of opposition and we are prepared to accommodate if the Leader of the party is willing to continue the debate.

Mr. SPEAKER: Do you think it necessary that the debate should continue?

The Hon'ble Mr. A. K. FAZLUL HUQ: If I may make a statement, it will clear up many issues and further debate may not be necessary.

Mr. SASANKA SHEKHAR SANYAL: Would it not be convenient since the reply given by the Hon'ble Revenue Minister, to open the other matter also, because he has principally spoken on the question of Permanent Settlement and I have also a specific motion on that. If you allow, we can speak on that now.

Mr. SPEAKER: My difficulty is that to this motion I wish to go by the opinions of your front benches.

The Hon'ble Mr. A. K. FAZLUL HUQ: I rise to say a few words because I feel that after I have made my statement the House will realise that much of the discussion that has taken place or is about to take place is due to misapprehension regarding the entire situation.

There is an impression abroad that Government have been plotting in secret, that they have arrived at a decision without consulting the wishes of the various sections of this House and that some time or other they wish to spring a surprise upon the public by announcing the composition of the Commission. I can assure the House that the only thing that has been decided up to the present moment is that there should be a Commission empowered to make a comprehensive survey of the entire position affecting the various land laws of Bengal, and that at the head of this Commission should be an impartial chairman not imbued with preconceived prejudices but able to bring an unprejudiced mind to bear on the various complicated questions that will arise for discussion and decision. These are the only two points that have been decided, and, even as regards the chairman, we are prepared to accept suggestions from our friends in this House before we come to a final decision. If we find that the circumstances are such that an impartial chairman cannot be found, there is nothing to prevent Government from giving up the idea of the Commission altogether. We are not committed to anything beyond the fact that there should be a Commission and I ask my friends to bear with me for a minute, if I explain to them that in this matter, as in many other matters, mischievous reports are set afloat by various interested persons in order to cloud the issues and create difficulties in the way of the Government.

As regards the composition of the Commission nothing has been decided. It is no use being frightened at the bogey that there will be a preponderance of Europeans in the Committee, that there will be a large number of retired Government servants, that there will be a large number of tenants and landlords; nothing has been decided. Speaking for myself, if I find that the House holds divergent views which are irreconcilable on matters of material moment, I for one will not hesitate to give up the idea of the Commission altogether. For what purpose are we going to have this Commission? Is it going to benefit any of the members of Government? Is it going to benefit any particular class or community? Is it going to benefit any particular individual? I think the answer to these questions must decidedly be in the negative. We are anxious (let the House believe us) that the whole situation should be surveyed. It has been surveyed from time to time, but still the subject is so vast, the issues are so various and complicated and the interests at stake are so fundamental and predominant that it will be impossible to say that what has been done by the previous Commission has been absolutely the last word on the subject. The more you read the more you find how very difficult and complicated the situation is. The land laws of Bengal and the land tenures of this province are subjects of perennial interest to those who are engaged in the legal profession. Conditions vary from district to district, from even one part of the district to another. Opinions vary, experiences give various results on various points and it is therefore difficult to

say what will be the results of an investigation by a Commission. If you put a large number of tenants' representatives on the Commission the landlords will say that it is a pact committee; if you put a large number of landlords' representatives the tenants will say that it is a pact committee. There are so many divergent interests that it is very difficult to reconcile all these various points. I, therefore, appeal to the House to co-operate with the Government in finding an agreed solution.

I declare once for all that the only thing that has been decided is that there should be a committee, an impartial committee. If you have got any suggestions to put forward let us have these suggestions. If we disregard your wishes, if we do not accept your suggestions, we go counter to your mandate, then it is time for you to say that the Government have flouted public opinion as expressed by their representatives in this House; but that stage has not come. We are only asking you to let us know your views, but within the last half an hour I have been surprised to find that mischievous rumours are already afloat and on the basis of that brisk canvassing has been going on in favour of this motion and in order to cast an adverse vote. But why? I say once more that the whole question is open before you; come and co-operate with us for the good of the tenants, for the good of the landlords, for the good of the Indians, for the good of the Europeans, for the good of Muslims, for the good of the Scheduled Castes, for the good of the Hindus and for the good of everyone of the country. Once co-operate and find a solution of this very difficult problem. It may be that while we are indulging in speeches and having this opportunity we are playing on the credulity of unsuspecting and unwary members of this House, the whole country is awaiting some kind of decision as regards the amendment of the land laws of Bengal. Those people outside who do not know anything of party politics expect that we should all put our heads together and in this matter at any rate we should do something which will be of real benefit of the people of this country. I give once more my assurance that nothing further has been decided, and that we are always ready to accept the suggestions and act accordingly. If you so desire and if we find that the situation is so complicated we will give up the idea of appointing a Commission, rather than thrusting a Commission on unwilling people and ask for your votes after having neglected to ascertain your views or having deliberately gone against your opinion.

If the House wishes to discuss the matter further, we will be very pleased to have an academic discussion but let me tell them that we have decided nothing. If you speak we will take the cue and find out what you want. Mr. Abdul Latif Biswas said that permanent settlement must be made to go. If your views are clear, if your views are reconcilable, we will read the debate very carefully and give effect to

them, but if we find that your views are so irreconcilable that no case has been made out for a commission at all we will not appoint any. I am only saying——

Dr. NALINAKSHA SANYAL: May we know what is the idea of extending the appointment of Mr. Sachse and what is the idea of sending him to England at Government expense?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir Fredrick Sachse has retired from the Indian Civil Service. We have asked for nothing, we are not sending him to England. He is going home on retirement. If Sir Frederick Sachse or somebody's services are necessary, I can only say that he is an officer who has spent his whole life in Settlement Department and he is one of those who have got the largest experience about the land laws of Bengal.

Dr. NALINAKSHA SANYAL: Are you going to spend any money for his journey to England after his retirement?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, no. I may tell you, Dr. Sanyal, that Sir Frederick Sachse is one of those whose names have been suggested. As I have said the personnel has not been decided at all and we would welcome suggestions from the Congress group, or from any group in the House. We will consider every suggestion; every suggestion will be taken into consideration. I find the whole problem is so complicated that we may have to give up the idea of appointing a Commission altogether. Nothing has been settled, so there is no fear.

Mr. AHMED HOSAIN: How are Government going to ascertain the views of the House?

Maulvi TAMIZUDDIN KHAN: I think this question may wait for the time being.

The Hon'ble Mr. A. K. FAZLUL HUQ: Ordinarily in matters of this kind it is impossible for Government to set up a Commission by consulting every member of this House. It is an impossible task but what Government can do is to take into consideration the views that are reflected in the course of the debate or in the course of private conversation or otherwise. The Government can take into consideration all the views that may be given and will come to a decision. I shall be prepared to answer any questions that may be put to me at the present moment. I hope I have made my position clear and I will request my friend Mr. Abdul Majid not to press this motion.

Maulvi TAMIZUDDIN KHAN: We are thankful to the Chief Minister for clarifying the issue to a certain extent but that clarification, I am afraid, has not satisfied any section of the House. The greatest assurance that has been given by the Chief Minister is that no decision has yet been arrived at. It is also there that our grievances lie. Why no decision has been arrived at even after cogitation for one full year? Did not this question come up for consideration before the Government almost a year ago? From what the Chief Minister has said it is clear that Government have done nothing at all till now. The Hon'ble Sir Bijoy Prasad Singh Roy has said that this is a most important question, and on this depends the very life of the nation. If that is so, is this the manner in which this question ought to have been dealt with? The Government should have come to a decision much earlier. I for myself am not generally in favour of Commissions. Commissions are generally appointed to shelve embarrassing questions, but this is a question of a very complicated nature and if a Commission is intended to be appointed in a good spirit for coming to a right decision, there should not be any objection to the proposal. It is only in that belief that I for myself supported the proposal for the appointment of a Commission. But what is of importance is this—whether our Government has really an honest intention in appointing this Commission. We hear that this Commission will take several years to submit the report.

The Hon'ble Mr. A. K. FAZLUL HUQ: No, no. they will take utmost a year.

Maulvi TAMIZUDDIN KHAN: The Hon'ble the Chief Minister again assures us, Sir, that within a year the Commission's report may be submitted; that of course is reassuring to a certain extent. The personnel of the Commission, the constitution of the Commission are matters of the utmost importance, and yet, Sir, no decision has been arrived at on these questions. But if the speech of my friend Mr. Abdul Majid was attended to, I think it would have been clear to Government that he made certain very specific demands. One of them was that there should be no non-Bengali on that Commission, except probably an expert, if absolutely necessary; that is, if a Bengali expert cannot be found, then one non-Bengali member might be taken in. (Cries of "there are many Bengalees available".) That, Sir, is one of our demands. His second demand is that representatives of the tenants should be in a majority on that Commission. The Hon'ble the Chief Minister says that if the tenants are in a majority the landlords will object

The Hon'ble Mr. A. K. FAZLUL HUQ: No, no, I did not say that. I said that it is possible that if there is a majority of tenants the

landlords will say that it is a packed Commission and if there were a majority of landlords in the Commission, the tenants will say that it is a packed Commission, and all sorts of things. I did not say that they would object; they may or may not.

Maulvi TAMIZUDDIN KHAN: However, Sir, to my mind the interests of the tenants are the interests of the country. (Mr. TULSI CHANDRA GOSWAMI: Of the nation.) Yes, certainly of the nation. Therefore, it is essential that the interests of the tenants should be safeguarded in all possible ways. If the representatives of the tenants are not in a majority on the Commission, it is apprehended that the Commission will never do justice to the cause of the poor and illiterate tenants. Secondly, Sir, and that is the most important thing—what my friend the Chief Minister says is that he wants to consult various members of this House and invite suggestions. That, Sir, will, in my opinion, simply create a chaos. Every one will give his own suggestion, and Government will probably not agree with the suggestions and it will be a ground for the Chief Minister to say that the opinion of the members is worthless. But what Maulvi Abdul Majid made clear in his speech is that the whole House should be taken into confidence. Let Government come forward with a formal resolution before this House, embodying its specific proposals, not only about the terms of reference, but also about the constitution of the Commission. Let that be done during this very session and let amendments be tabled, so that ultimately the House should come to a decision. We shall accept that decision and I think that the whole country will be satisfied. I, for myself, have no confidence in many people, but, Sir, I have confidence in this House. I believe that this House, unlike the old Council, is definitely friendly towards the cause of the tenants and, therefore, whatever decision this House makes will be acceptable so far as the tenants are concerned, and I think other interests also will certainly accept the decision of this House. As I have already said this is the most important demand that we can make and my friend Mr. Abdul Majid also made it clear in the course of his speech initiating this debate.

Then, the Hon'ble Sir Bijoy Prasad Singh Roy has read out to the House certain draft terms of reference; there also no decision has been arrived at. Indeed, Sir, nothing has been decided as yet. But from the few lines that he read out it is clear that the terms of reference have been drawn up with a definite bias in favour of the existing order of things. (Hear, hear.) That is not what we want. There is a vague reference to the Permanent Settlement, but, again, Sir, that is not what we want. If investigation has to be made about the Permanent Settlement what is the object behind it? The principal question in connection with that investigation will be whether that investigation

will be profitable to the country and mainly whether that will be profitable to the country financially, namely, what are the financial implications of the Permanent Settlement, and how far the Permanent Settlement affects the finances of the province, and whether by abolishing the Permanent Settlement—in whatever way it may be feasible—the finances of Bengal will really improve. I do not find any single word about this very clear demand in the terms of reference that Sir Bijoy Prasad Singh Roy read out. It may probably be that he did not read out the whole, and it is gratifying that he has invited suggestions. But, as I have already said, Sir, inviting suggestions from individual members will never be fruitful, but will simply create choas. I do not like to dilate on this subject any further. I have made our intentions quite clear. The Hon'ble the Chief Minister has invited co-operation. Sir, we are dying to co-operate. But the only question is whether Government is at all willing to accept our co-operation in the right spirit. If these demands are acceded to—and of these demands, the demand for consulting this House is the most important—if these are acceded to, then, well and good. Otherwise it will be our painful duty to support the motion of Mr. Syed Abdul Majid. For myself, Sir, I was not in favour of his motion initially, because, I honestly think that an enquiry is necessary. But if we are not going to get the kind of enquiry that we require, certainly suspicion arises that the enquiry will be merely for the purpose of marring the future of the tenants of this province, and therefore it will be far better not to have any Commission at all. (Hear, hear.)

Mr. SPEAKER: Would the Chief Minister like to say anything in this matter, because I want to close the debate now.

The Hon'ble Mr. A. K. FAZLUL HUQ: I think, Sir, I have said all that I had to say, and don't want to add anything more.

Maulvi ABDUL BARI: It appears, Sir, some other members are still willing to speak from this side of the House.

Mr. SPEAKER: Well, I am absolutely in the hands of this House. But I would like to make a suggestion. So far, practically all the speeches have been made against the motion, I am therefore now prepared to allow only one member to speak in favour of it and close the debate. I would, however, again like to know the Chief Minister's views on this point—whether he would like me to close the debate and put the motion to vote or to continue the debate.

The Hon'ble Mr. A. K. FAZLUL HUQ: As I have already said, Sir, I have nothing further to say; it is entirely for you to decide.

Mr. SPEAKER: It is for me to decide but I must get the opinion of the House, whether they are willing to continue this debate.

Mr. NALINAKSHA SANYAL: I move that the question be now put.

Mr. SPEAKER: In any case I will allow one more speaker to speak and then immediately close the debate.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir, being neither a landlord nor a tenant I believe the House will grant me the privilege to look at the whole affair in a detached way. Speaking as one who belongs to the Muslim League, I would like to draw the attention of this House to the fact that that body does not yield to any other organisation in the country so far as the interests of the peasant and everyone connected with the land, are concerned. Our Manifesto was very clear on the point. We declared in it that the system of land tenure in Bengal has to be altered in a manner which would satisfy the demand of every section of society in Bengal. We also said in our Manifesto, to which most of the honourable members of the Muslim League subscribe, that we did not believe in the division of society on an economic basis. The Mussalman may be a peasant to-day but he may become the biggest zamindar to-morrow, and *vice versa*. But, Sir, evidently we have been talking at cross purposes for, the impression left on my mind by the speech of the honourable member from Faridpur seems to be that he has developed a mentality which clearly gives out an impression of divided loyalty. As a member of the Muslim League, as one who is on its Parliamentary Board, I am surprised, that he wants to sign away the rights of the group which occupies the biggest position in this House. He wants to tell us, give up all the ideals with which you have entered this House, give up the power that you have gained and leave it to the decision of the people whose only object seems to be to pick holes in the best of schemes, to pick holes in the best of policy and to pick holes in every small and large idea this group has brought before the House. I do not say, Sir, that all that has been said by the Government or the Coalition Party has been of the best order. We are human, we are likely to make mistakes. But no man has the right to question the statement of the Chief Minister, when he says that so far only two points have been decided. I go further and declare that if the Chief Minister says "I shall give up the idea of a Commission," there will be members of the Muslim League party who will cry him down, who will not allow him to get out of the decision, the Muslim League, in its wisdom, took on this problem. The difficulty of the administration may be such as might delay for a short time the appointment of the Commission. I do not know who will be the President and who will be its members.

But, Sir, the Government have decided to appoint a Commission and that should be enough for all parties. What will be its personnel is a matter of very minor importance. If the Government had declared to-day that out of fear or of a vote-catching device it was going to have a Krishak-Praja majority on the Commission, the Government will have failed to do its duty. The Government is here not in the interest of any group. As a Mussalman I demand that it shall look to the interests of all people in the province, be they Mussalmans or Hindus. The Ministry, having accepted office, must look upon all with the eye of justice——

Dr. NALINAKSHA SANYAL: What about the landlords?

Mr. ABDUR RAHMAN SIDDIQI: Landlords and tenants make no difference to me. I am told—I am not an authority on this subject but I repeat on hearsay—that between the landlord and the tenant there are so many as 17 middlemen. Now, if you talk only of the Praja and Krishak, if you talk only of the peasants just on the basis of cheap socialistic clap-trap and borrowed slogans from Moscow, such as "Workers and Peasants of the World unite," workers, do this, or the other, I shall not allow this Government to upset the whole social and economic structure of this province in the interest of one section only and to the detriment of others. Landlords' rights contain within themselves the rights of every section and of every strata of society in Bengal. There may be more Hindu zamindars, there may be more Muslim zamindars—that does not affect me—but so far as the peasantry is concerned, my information is that above 90 per cent. of this section is Moslem. I challenge anybody in this House or outside, to stand up for and to defend the rights of the Muslim peasantry more than we can, and therefore whatever Commission we appoint, whatever personnel we select, we shall see to it that 95 per cent. of our brothers do not go unrepresented or their rights are ignored because of no advocacy. What I am trying to impress upon the House is that political tactics and political intrigues shall not be allowed to interfere with the determined policy of the Muslim League that the land tenure system of Bengal shall be looked into and that justice shall be done to all concerned.

Dr. NALINAKSHA SANYAL: I put that the question be now put.

Mr. SPEAKER: As the closure motion has been demanded more than once, I have no other alternative but to put it.

The closure motion was put and agreed to.

Mr. SPEAKER: Before I put the motion again, I would only mention that while I have not objected to members going to different benches, I think by all convention canvassing is not permitted, and I hope while they go, they should not canvass.

Mr. DHIRENDRA NATH DATTA: The Ministers are more guilty than anybody else.

Mr. SPEAKER: I do not know who is guilty and who is not.

The question before the House is that the motion of Mr. Syed Abdul Majid, viz., that the demand of Rs. 30,85,000 under the head "7—Land Revenue" be reduced by Rs. 100 to raise a discussion on the question of constitution and terms of reference of the proposed Land Revenue Commission.

The motion being then put, a division was taken with the following result:—

AYES.

Abdul Hafeez, Khan Bahadur Syed.
Abdul Hakim, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Aftab Ali, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Khan, Mr. Syed.
Azimuddin Ahmed, Mr.
Banerjee, Mr. Pramatha Nath.
Banerjee, Mr. Sibnath.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Bannerjee, Mr. Manoranjan.
Barman, Mr. Shyama Prosad.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakraborty, Mr. Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Narendra Nath.
Das, Mr Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Mr. Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Mr. Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Fazlur Rahman (Shahzar), Mr.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Giasuddin Ahmed Chowdhury, Mr.
Golam Sarwar Hossini, Mr. Shah Syed.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Mafizuddin Ahmed, Dr.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mazumdar, Mr. Birendra Nath.
Mal, Mr. Iswar Chandra.
Manirazzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Sahib Mr.
Naskar, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sansuddah, Al-Haj Maulana Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Maniendra Bhusan.
Tamizuddin Khan, Maulvi.
Thakur, Mr. Pramatha Ranjan.
Yeasuf Mirza.
Yusuf Ali Chowdhury, Mr.

NOES.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz Mia, Mr.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. N.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar Paiwan, Mr. Md.
Abdul Kader, Mr.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Maulvi.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur.
Abul Hashim, Maulvi.
Abul Hossain, Mr. Ahmed.
Abul Quasem, Maulvi.
Aftab Hossain Jeardar, Maulvi
Ahmed Ali, Khan Sahib Maulana Enayetpuri.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur.
Aminullah, Maulvi.
Amir Ali, Md. Mia.
Anderson, Mr. J. P.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Bannerman, Mr. H. C.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Brasher, Mr. F. C.
Crosfield, Mr. L. M.
Das, Mr. Anukul Chandra.
Das, Mr. Kirit Bhusan.
Das, Mr. Monmohan.
Farhat Bano Khanam, Begum.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Ferguson, Mr. R. H.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur.
Hasina Murshed, Mrs.
Hatemally Jamadar, Khan Sahib.
Haywood, Mr. Rogers.
Hirtzel, Mr. H. A. F.
Homan, Mr. F. T.
Idris Ahmed Mia, Mr.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Sahib.
Kennedy, Mr. I. G.
Mafizuddin Choudhury, Maulvi.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Siddique, Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Kasimbazar.
Nasarullah, Nawabzada K.
Nausher Ali, the Hon'ble Mr. Syed.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ray Choudhury, Mr. Birendra Kishore.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, Babu Patiram.
Roy, the Hon'ble Sir Bijoy Prasad Singh, Kt.
Roy, Mr. Dhananjoy.
Roy, Rai Bahadur Kshirod Chandra.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Mr. Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasseen, Mr. R. M.
Sen, Rai Bahadur Jogesh Chandra.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khandkar, Mr.
Singha, Mr. Kshetra Nath.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tofel Ahmed Choudhury, Maulvi Haji.
Wahur Rahman, Maulvi.
Walker, Mr. J. R.
Walker, Mr. W. A. M.
Zaher Ahmed Choudhury, Maulvi.

Ayes being 79 and Noes 120, the motion was lost.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, may I draw your attention to one fact which in my humble opinion is interfering with the free voting within this House? As soon as a division is called, we find that the Hon'ble Ministers are not in their seats but generally in other benches where they do not generally sit, and we have always seen that when the division bell rings, the Ministers go there, i.e., by the use of their position they want to influence, whether they succeed or not. I submit that this ought not to be allowed. The Whips could move about but not others and lobbying is permitted within the House. The spectacle that we have been witnessing here, only shows that we cannot get the right sort of division

Mr. ABDULLA-AL MAHMOOD: That is a reflection on this side of the House.

The Hon'ble Mr. A. K. FAZLUL HUQ: Will you permit me, Sir, to say a few words? I think that the greatest sinner is Mr. J. C. Gupta. Not once or twice but on every occasion, whenever the division bell is going to ring he leaves his seat, goes about whispering and half a dozen members on the side of the Opposition mix into our group and create confusion. You might have noticed, Sir, that we were all in our group except the Hon'ble Mr. Mukunda Behary Mullick who had gone to another seat sometime before to talk to a friend of his. We were all in our seats, and we did not leave our seats for a single moment. It is a serious reflection on me and I should have thought that he had greater regard for truth.

Mr. JOGESH CHANDRA GUPTA: I strongly drew the attention of the Speaker——

The Hon'ble Mr. H. S. SUHRAWARDY: It is the attitude of کھسیانی بلّی کھمبا نوچے (An irritated cat scratches at a bamboo).

Mr. JOGESH CHANDRA GUPTA: I strongly drew the attention of the Speaker to the fact that three Ministers, the Hon'ble Mr H. S. Suhrawardy, the Hon'ble Mr. Prasanna Deb Raikut and the Hon'ble Mr. Mukunda Behary Mullick had left their seats, but still the Chief Minister has no hesitation in denying the same and calling me having made an incorrect statement.

Mr. SPEAKER: I think this is a matter which lies entirely on me to decide upon, and I assume full responsibility for it. I do agree that some were not in their usual seats but it is not my function to find out as to who were they, but it is a fact that there has been too much canvassing on the floor of this House. I do realise to a certain extent that

reaction of one measure brings in another and the situation has to come to this. I am not entering into the question as to what has been the fact of this case, but I do hold that a Whip of a party is entitled to canvass within his own group, and similarly the Ministers and everybody should kindly keep to their seats wherever they may occupy them just when the division bell is ringing and I hope in future the Whip of one party will keep their flock together and not go to any other seat. I have taken full responsibility for it because I feel that it is only correct that the Whip is perfectly entitled to see that his members go to the lobby where their Leader has decided, but if a Whip of one party goes to any member of a different party it is tantamount to canvassing, or at least even if it is not tantamount to that, it leads one to suppose that there has been canvassing and counter canvassing. To avoid that, I would request the Whips of the different parties to keep to their seats and the Hon'ble Ministers will also kindly stick to theirs.

The question before the House is the motion of Maulvi Abdul Hakim that the demand be reduced by Rs. 100 dropping the proposed Revenue Enquiry Commission. The motion was put and lost.

Mr. SASANKA SEKHAR SANYAL moved that the demand be reduced by Rs. 100 (apathy and indifference to immediate overhauling of the land system and for the abolition of the permanent settlement).

Mr. Speaker, Sir, since this House is agreed not to pass the cut motions that were tabled in connection with the proposed Commission, I think it is time for the House to give a clear mandate as to on what basis the Commission should sit. Sir, the proposed Commission has been described as some sort of a dark horse, but since we are going to ride on a dark horse we must know the destination of our riding. Sir, it is said by the Hon'ble Ministers that they are anxiously alive to the complicated questions of land revenue. It is also argued that they are feeling for the peasantry in this connection. But, to me it appears, Sir, that their recognition is not accompanied by that seriousness of purpose which is born of a conviction that Bengal is not only to-day living in the villages, but is also about to die there. Sir, the Hon'ble the Revenue Minister spoke at length on the question of complications. But I need hardly remind the members of this House that at the last general election, at least so far as the general seats are concerned, they were fought principally upon the land revenue and the Permanent Settlement as the major issues, and these issues were made all the more clear by the fact that candidates of comparative unimportance were contested by formidable Rajas and Rai Bahadurs, who are depositories and custodians of influence, position, and tradation, but these big men were defeated in most cases by unthinkable majorities, and this speaks for itself. Sir, it would be very wrong to interpret this

verdict of the people, merely as an attack upon the inequitous provisions of the Bengal Tenancy Act alone. Sir, this verdict was in substance a censure upon the present land revenue administration with the Permanent Settlement as its sheet anchor. Sir, one who has cared to see things straight, would find in rural Bengal that the people are tired of the existing system and they want an absolute change on democratic lines, even to the extent of nationalisation. Sir, the hon'ble member from the Muslim Chamber of Commerce waxed eloquent and used expression with reference to Moscow and all that. Sir, I am myself not a communist; I am a conservative. Born in a poor orthodox Brahmin family I was taught to respect the zemindars as the pioneers of culture and of all progressive movements. But gradually, Sir, the feeling and the conviction was painfully forced upon me that the prosperity of the country and the Permanent Settlement cannot go together. Sir, to the average politician the zemindar is a reactionary who always sides with the foreign power in strangulating the national aspirations of the country. To a student of history, a zemindar is nothing but an auto-wheel in the imperialistic career of conquest with Permanent Settlement as a steel-frame for the fabric of imperialism. Sir, what is more important is that to an average man a zemindar is a symbol of hostile forces chilling the ardour of their ambition and always putting them into illiteracy and degrading misery. Sir, we are accused of rancour against the zemindars but most unjustifiably. It does not pay us to be bitter against the landlord or anybody for the matter of that. Things have come to such a pass that the peasantry refuses to be deluded by putting off promises for gradual change in the administration, and an immediate overhaul is called for. Sir, what is the basic reason of the poverty of the illiterate peasantry? The main reason, Sir, I submit is that as between the state and the actual tillers of the soil there is no connection and no affinity. The Government have abdicated the stewardship of land in favour of a group of persons and these persons are interested more in looking after the realisation of their rent than in the condition of the tenants and in the land itself. So, Sir, this theory of State within a State must be removed and must be dislodged whatever its justifications might have been in the past.

Sir, the Hon'ble Revenue Minister, while speaking on this subject, said that there was the question of subinfeudation, of reduction of rent and of settlement of rent in perpetuity. I want to make it perfectly clear, Sir, that the theory of Divine right of the zemindars must be banished altogether. Sir, it must be made perfectly clear that the land is for the State and that the crops that are grown on the land are not for the greedy parasites but for the tillers of the soils themselves primarily and secondarily for the benefit of the community.

Sir, so far as the other point is concerned I want also to make it perfectly clear to the Hon'ble Revenue Minister that the question of rent must be dropped as a retrograde step. We must stand firmly on the theory of taxation, and there is no question of perpetuating any rent on any permanent basis. There must be an examination of the land from time to time so that whatever will be assessed will be assessed not upon the person but upon the land subject to its fertility, subject to the changing conditions of the market and subject to the income that is derived from it.

Sir, it will not be well for this Government to put off things when vital issues are concerned. It is very refreshing to note that my friend Mr. Tamizuddin Khan has made it clear that Government have got plenty of time to come straight to this question. It is necessary Sir, that the Government should take up this point at once. Just as the general administration is top-heavy, so the land revenue administration is top-heavy. It is now necessary that we go to the base and attack the root problem though this may have the effect of effecting the top to a slight extent. Sir, there might be a bold beginning. There are 10 or 12 crores of rupees of revenue out of which the profits are taken by the zemindars and I would at once suggest that Government will draw these 10 or 12 crores of rupees to start with, and with these 10 or 12 crores of rupees they can take up nation-building schemes, e.g., they can start schools, agricultural improvement can be effected and the health and sanitation of the province can be looked after. In a word, Sir, hope and inspiration may be brought to the sinking villages and drowning tenantry.

Sir, I warn this House particularly this Government against the future that is awaiting them. The present Ministry are afraid, Sir, of the detenus and political prisoners but do they realise that a mightier revolution, mightier than any that ever happened before is gathering strength in rural Bengal below the very feet of the Ministry? Soft words, honeyed and sympathetic words will not stop the march of this revolution. What is necessary, Sir, is a bold surgical operation even to the extent of amputating the Permanent Settlement altogether. (Cries of "Hear, hear" from the Congress Benches.)

Sir, if the Ministry will care to analyse the economic condition in the villages they will have no difficulty in understanding that unless the entire land tenure system is changed, lock, stock and barrel with a view to bringing Government more at the service of the tenantry than as hitherto at the service of the vested interests there will be no peace and no prosperity in the province. Sir, I am not exaggerating when I say that the entire rural Bengal is in a state of delirious discontent, and there cannot be any peace for Government unless our province is washed clean of the toxin of the present land revenue system.

Mr. SPEAKER: As the agenda also includes discussion of the demand for grant for Famine Relief I would put the guillotine at 8 p.m. I now call upon the Hon'ble Sir Bijoy Prasad Singh Roy to reply.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The hon'ble mover of this motion starts by saying that there should be a clear mandate as regards the basis on which the Land Revenue Commission is to be constituted.

Sir, the hon'ble mover suggests that there should be an immediate abolition of the Permanent Settlement. I do not know if his views are held by the majority of the members in this House and the majority of our country men outside this House. I doubt it very much. The hon'ble member said that the General Elections were fought not only on the issues of amending the Bengal Tenancy Act but also on the issue of the abolition of the Permanent Settlement I do not think that is a fact

Dr. NALINAKSHA SANYAL: The Congress manifesto is quite clear.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: But, Sir, whatever the point of difference between my hon'ble friend and myself might be, there is one point of agreement that there should be a thorough enquiry into the whole question, with a view to bring about a change in the system. If the tenants, according to my hon'ble friend, are tired of the Permanent Settlement, I can assure him that the landlords also are no less tired. They also want to be allowed to give up the responsibility, provided they are given sufficient compensation and allowed to invest money in other business.

Sir, I can assure my hon'ble friend and the House that Government will try to shape their policy on the recommendations of this Commission when it submits its report.

It is very difficult for them to pre-judge what those recommendations are going to be. Suppose it is found possible and desirable to abolish the Permanent Settlement, then they will have to decide what system is going to be substituted in its place, whether it is possible to bring the tenants directly under Government or not. That is one of the main problems that this Commission will have to go into. I also agree, for this is my personal view, that there should be no more rent, but it should be a land-tax on profit, because in that case all hierarchy of interest in land will find relief. Now, the obligation under the Permanent Settlement are very fixed at one end and entirely loose at the other. Under the Revenue Sales Act the landlord has to pay the Government revenue on a particular date whether he is able to realise

rent from his tenants or not. That is a position which to my mind is very unsatisfactory. There was a time when this system worked quite satisfactorily. But times are fast changing our ideas also are fast transforming and it may not be possible to continue the present system very long. I do not for a moment deny that the whole matter requires very careful investigation; but it is not possible, and Government are not prepared, to anticipate the recommendations of the Commission.

Sir, I oppose the cut motion moved by the honourable member.

The motion of Mr. Sasanka Sekhar Sanyal, viz., "Apathy and indifference to immediate overhauling of the land system and for the abolition of the Permanent Settlement", was then put and lost.

The motion that a sum of Rs. 30,85,000 be granted for expenditure under the head "7—Land Revenue" was put and agreed to.

54—Famine Relief.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,00,000 be granted for expenditure under the head "54—Famine Relief".

Mr. NISHITHA NATH KUNDU: Mr. Speaker, Sir, I move that the demand under the head "54—Famine Relief" be reduced by Rs. 100.

I move this cut motion for discussing the indifference of the Government in such urgent matters like famine, the policy of negligibly scanty distribution of revenue under head "Famine" and on all other like heads which bestow direct benefit on the people and the policy of tackling the problem of famine. In this connection, I have to refer to the Famine Code which is a disgraceful piece of Government document and requires a thorough overhauling. This year Rs. 2 lakhs have been reserved for famine relief. It amounts to ·15 per cent. of the total revenue of the province and less than a pie per head. In a Province where famine is the normal condition and constant companion of the people, this kind of grant is not only ridiculous but an insult to humanity. When I say this, I do not mean that miseries of a famine can be avoided by Government relief, however much we may increase the grant unless the cause of famine are eradicated by taking recourse to methods that will give work to thousands of unemployed, improve the economic condition of the people in general and unburden the indebtedness of the tenantry passed on from father to son and continually swollen by process of compound and usurious rate of interest, and make the people fit in health to pursue their avocations.

No less than three Famine Commissions were held successively in the years 1880, 1898 and 1901. Like other Commissioners, their recommendations could not either be accepted or given effect to for want of funds. The recommendations have either been forgotten or lost in the huge archives of the Government. As protective measures, these Commissions suggested, amongst others, remission of land revenue and rents, starting of agricultural banks, scientific agricultural development and advances by Government under Agricultural Loans Act. In reply to the starred question No 161, the Hon'ble Revenue Minister stated that in Patuakhali last year, the Government distributed Rs. 9,000 and odd amongst 76,150 units, i.e., about annas 2 per head per day and granted agricultural loan of 1½ lakhs amongst about 45,000 persons, i.e., about Rs. 3½ per head. The House can easily imagine the benefit and protection that the Government bestowed on the famine-stricken people at Patuakhali. What agricultural benefit can be obtained with Rs. 3-8 per head. It is not even sufficient to cover the price of seeds, not to speak of cost of cattle and cultivation. Then again, the loans that are advanced are realised with the utmost rigour. In Balurghat subdivision, the people were advanced loans in the year following the North Bengal flood and they have not been able to repay their debts yet——

Mr. SPEAKER: I hope, you will finish now.

Mr. NISHITHA NATH KUNDU: All right, Sir, I would quote a few lines from page 108 of the Report of Indian Famine Commission held in 1901. "The last topic in connection with protective policy on which we desire to remark is agricultural development; and under this head, we include irrigation and expansion of the provincial agricultural departments as well as improvement in agricultural processes." Long 37 years have elapsed since the last commission held its enquiry and published its recommendations and let us now examine how far the Government have advanced in taking steps in these directions. In the year 1938, Government have allotted about Rs 36,000, that is, ·027 per cent. of the total revenue, or 1 anna per head——

(Here the member having reached the time-limit resumed his seat.)

The motion that a sum of Rs. 2,00,000 be granted for expenditure under the head "54—Famine Relief" was put and agreed to.

Adjournment.

The House was then adjourned till 4 p.m. on Monday, the 14th March, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 14th March, 1938, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.,) in the Chair, eleven Hon'ble Ministers and 222 members.

Mr. SHAH ABDUR RAUF: Sir, may I have your ruling on a very important matter? The Hon'ble the Prime Minister the other day told us——

Mr. SPEAKER: I will hear your point of order after the questions are over.

Oath.

The member named below made the oath or affirmation of his allegiance to the Crown:—

Mr. G. G. McGregor.

STARRED QUESTIONS

(to which oral answers were given)

Death of political prisoner Dhanesh Chandra Bhattacharjee.

*201. **Mr. MANORANJAN BANNERJEE:** (a) Is the Hon'ble Minister in charge of the Home (Jails) Department aware—

(i) that a political prisoner, Dhanesh Chandra Bhattacharjee, died in the Midnapore Central Jail on the 25th December last;

(ii) that Dhanesh felt unwell at about 10 a.m. of the 25th December;

(iii) that Dhanesh took his bath and meal at about 11-30 a.m. and went to bed for rest and slept some time;

(iv) that about 3-30 p.m. the Superintendent and Jailor went to see Dhanesh Bhattacharjee on that day;

(v) that they found him unconscious;

(*vi*) that an injection was given to Dhanesh at that time; and

(*vii*) that Dhanesh never regained his consciousness and died at 5-30 or 6 p.m. on the same day?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Minister be pleased to state the cause of his death?

(*c*) Is it a fact that Dhanesh had no other disease before seven days of his death except ordinary leprotic patches?

(*d*) Was he then in good health and was gaining in weight?

(*e*) Will the Hon'ble Minister be pleased to lay on the table a copy of report of the *post mortem* examination and inquest report of Dhanesh?

(*f*) Is the Hon'ble Minister considering the desirability of inquiring into the matter and placing on the table the result of the inquiry?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): The attention of the hon'ble member is invited to the Press Note issued by Government on the 14th February on the death of prisoner Dhanesh Bhattacharjee, a copy of which has been placed on the Library table.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Dhanesh Bhattacharjee contracted leprosy while he was in jail, as he was quite free from this disease when he was outside the jail?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state on what evidence he concludes that he was attacked by this fell disease outside the jail? Has he got any evidence?

The Hon'ble Khwaja Sir NAZIMUDDIN: At the time when he was arrested he had this disease on him.

Mr. TULSI CHANDRA GOSWAMI: Is it not a fact that he contracted leprosy during his confinement in the jail?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the hon'ble member to the Press Note

Dr. SURESH CHANDRA BANERJEE: Sir, from the Government Press Note placed on the Library Table it appears that Dhanesh Bhattacharjee was having attacks of malaria and after apparent cure was discharged from hospital on the 8th December. In the same note

it is said that two more injections were given to him in the meanwhile and then it is further stated that he became suddenly ill on the 25th and died. Now, Sir, my question is; (*a*) when was the last injection given, as it is said that two more injections were given; (*b*) how much E. C. C. O. was given and (*c*) how was it given? Was it given through the skin or through the vein? These are my three questions, Sir.

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that in the Press Note there is no mention of the time when Dhanesh Bhattacharjee contracted the disease? In view of this, will the Hon'ble Minister be pleased to state the source of his information that Dhanesh Bhattacharjee had leprosy before he was arrested?

The Hon'ble Khwaja Sir NAZIMUDDIN: If I might read out a portion of the Press Note, Sir, it will appear that he was suffering from a highly infectious type of leprosy with extensive patches all over his body.

Dr. NALINAKSHA SANYAL: That was found at the time of his examination.

Gun-licence of the President, Kusumhati Union Board, Dacca.

***202. Mr. MANORANJAN BANNERJEE:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware that the gun licence of the President, Kusumhati Union Board, in Dohar police-station, has been cancelled by the District Magistrate of Dacca?

(*b*) If so, has the reason for the cancellation of the licence been communicated to the holder?

(*c*) Was it done with previous notice?

(*d*) What are the reasons for the cancellation of the licence?

(*e*) Are the Government considering the desirability of restoring the gun licence?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) No.

(*b*) to (*d*) Do not arise.

(*e*) Attention of the hon'ble member if drawn to the fact that an appeal lies to the Commissioner against the order of the District Magistrate.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what is the guiding principle and policy in sanctioning gun-licence?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: I submit, Sir, it arises, because in answer to my question (*a*) whether the cancellation of the gun-license of the President has been sanctioned by the District Magistrate, the answer given is "no". Then, Sir, I submit that the question of when and how cancellation came in this case, arises; that the principle and policy do crop up

Mr. SPEAKER: Your supplementary question, however, is how the licence is granted.

Mr. BIRENDRA NATH MAZUMDAR: In answer (*a*), Sir, it was stated that the licence had not been cancelled by the District Magistrate. Will the Hon'ble Minister be pleased to state, with reference to his answer (*c*), what he means by saying that an appeal lies to the Commissioner? If the licence had not been cancelled, then where is the occasion for an appeal to the Commissioner?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think the hon'ble member has misunderstood the answer. Answer "no" to question 202 (*a*) refers to "whether I am aware", and not to "cancellation of the licence by the District Magistrate"

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state whether any inquiry was made as to question 202(*a*) after notice of the question was received?

The Hon'ble Khwaja Sir NAZIMUDDIN: The question was whether I am aware of the alleged fact of cancellation; we made inquiries and Government were not aware that the licence had been cancelled.

Maulvi TAMIZUDDIN KHAN: Is it not the duty of Government to enquire into a matter before an answer is given? How is it possible, without making an enquiry, to give an answer?

Mr. SPEAKER: That is for the House to decide and not for me.

Detenu Jyoti Jiban Ghosh.

***203. Mr. JOGESH CHANDRA GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state if it is a fact that Jyoti Jiban Ghosh was arrested at Midnapore under the Bengal Criminal Law Amendment Act in May, 1932?

(*b*) Are the Government aware that his mother has been suffering from tuberculosis during the last 3 years?

(*c*) Is it a fact that his father, Babu Jamini Jiban Ghosh, applied to the Government praying for the release of Jyoti Jiban in view of his mother's serious illness and assured the Government that he would take the responsibility for the future conduct of his son?

(*d*) Is it a fact that Professor Shahid Suhrawardy of the Calcutta University repeatedly wrote to the Hon'ble Minister expressing his readiness to give the guarantee demanded by Government in the declaration made by the Hon'ble Chief Minister in the last session of the Assembly for the conduct of Jyoti Jiban after his release?

(*e*) Are the Government considering the desirability of releasing Jyoti Jiban?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*d*) No.

(*b*) Government have seen a statement by the detenu's father to this effect.

(*c*) Yes.

(*e*) Government are not prepared to release him at present.

Maulvi ABDUL BARI: With reference to answer (*e*), will the Hon'ble Minister be pleased to state why Government are not prepared to release him at present?

The Hon'ble Khwaja Sir NAZIMUDDIN: Because the Government policy of release is one of progressive release, and according to that policy there are certain people who are going to be under detention for some time yet, and he is amongst them.

Mr. JOGESH CHANDRA GUPTA: With reference to answer (*d*), will the Hon'ble Minister be pleased to state if Professor Shahid Suhrawardy was asked whether he was ready to give the undertaking?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is not the question, Sir. The question is whether Professor Shahid Suhrawardy wrote to the Hon'ble Minister expressing his readiness to give the guarantee demanded by Government. I do not think that Professor

Suhrawardy ever wrote that he was ready to give a guarantee. To avoid further supplementary questions, I may say that he did write to the Government for the release or home detention of this detenu, but in his letter he did not make any offer that he was going to stand as a guarantee for this detenu

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether, if the Professor now agrees to give the guarantee he is prepared to release him?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is a hypothetical question. I am now only answering what the actual facts are.

Practising of military manœuvres in the Cope area, Midnapore.

***204. Mr. DEBENDRA LALL KHAN:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware—

(*i*) that field firing and military manœuvres were practised by the military in December and January last in the Cope area, district Midnapore;

(*ii*) that area includes some fifteen or sixteen villages;

(*iii*) that some of those villages are about a mile off from the Midnapore railway station; and

(*iv*) that the inhabitants of those villages were ordered to vacate for those days their homesteads from dawn till the afternoon?

(*b*) If the answers to (*a*) are in the affirmative, under what authority have the villagers been compelled to evacuate their villages?

(*c*) Is the Hon'ble Minister aware that the Bombay road which runs through this area is closed to the public at large during the manœuvres?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) to (*iii*) Yes.

(*iv*) No. The villagers were warned well in advance of the actual operations and were amicably induced to vacate their dwellings.

(*b*) Does not arise.

(*c*) Yes. The traffic on this road is small and there is an alternative track for bullock-carts.

Mr. DEBENDRA LALL KHAN: Has the Government asked for any firing rights on the lands of zamindars? And what does he mean by firing rights, and under what law it is resorted to?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Bengal Government did not ask for any firing rights.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that considerable hardship is caused to villagers when they are asked to come to an amicable arrangement to leave their villages and their homes with their cattle, children and sick persons?

The Hon'ble Khwaja Sir NAZIMUDDIN: I believe, compensation is paid in such cases.

Mr. DEBENDRA LALL KHAN: Is it not a fact that though villagers were given compensations before, they are refused compensations now?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of this.

Maulvi ABDUL BARI: Why were the villagers induced to leave the villages at the time of a firing operation?

Mr. SPEAKER: The question does not arise.

Mr. ATUL KRISHNA GHOSE: What is meant by an amicable arrangement?

Mr. SPEAKER: I am afraid, it is not a supplementary question.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state if this is an annual affair?

The Hon'ble Khwaja Sir NAZIMUDDIN: If the military are in a particular area I believe, under military rules, they have to do a certain amount of firing practice.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state it any compensation has been allowed to the villagers?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as I am aware, compensation was paid to the villagers.

Mr. NIKUNJA BEHARI MAITI: What would Government do if the villagers did not leave homesteads?

Mr. SPEAKER: That is a hypothetical question.

Srijut Atalananda Kundu.

*205. **Mr. DEBENDRA LALL KHAN:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that Srijut Atalananda Kundu, son of Srijut Radhanath Kundu, residing in thana Garbetta, district Midnapore, was acquitted by the High Court in the case known as the Garbetta Conspiracy Case some two years ago;

(*ii*) that certain restrictions were imposed on him under the Bengal Criminal Law Amendment Act shortly after the said acquittal;

(*iii*) that those restrictions were unconditionally withdrawn quite recently; and

(*iv*) that he is now being waked up from sleep at night and visited by constables as an ordinary ex-convict?

(*b*) Will the Hon'ble Minister be pleased to state if this treatment has anything to do with the acceptance of the post of president of the newly organized Karmi Sangha for Thana Garbetta by his father, Srijut Radhanath Kundu?

(*c*) If not, what are the reasons for his treatment as referred to in (*iv*)?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) and (*iii*) Yes.

(*ii*) Certain restrictions were imposed on him under the Bengal Suppression of Terrorist Outrages Act after he was let out on bail by the High Court.

(*iv*) No.

(*b*) and (*c*) Do not arise.

Books issued to prisoners.

*206. **Mr. DEBENDRA LALL KHAN:** Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether it is a fact that—

(*a*) the jail authority, except those of Alipore and Midnapore, allow the terrorist prisoners to keep only one of their books with them;

(*b*) in the Alipore and Midnapore Central Jails orders were passed authorising the said prisoners to keep in their possession five of their own books at a time;

(*c*) not more than one book is issued to the terrorist prisoners from the Jail Library in the course of a week;

(*d*) in the Rajshahi Central Jail the said prisoners are not allowed to read any books, novels and the like; but

(*e*) in all other jails the said prisoners are allowed to study the books on history, economics, politics and the like which have been prescribed as text-books for the Calcutta University examination?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) No. The attention of the hon'ble member is invited to Rule 1074 of the Bengal Jail Code, a copy of which is in the Library.

(*c*) The number of books issued per prisoner per week depends on the size of the Jail Library.

(*d*) No.

(*e*) These books as well as other books are allowed to prisoners at the discretion of the Superintendent.

Detenus.

***207. Mr. AMRITA LAL MANDAL:** (*a*) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state if it is a fact that the Hon'ble Minister made a statement in this House on the 10th and 14th September, 1937, to the effect that there were altogether 2,132 detenus, of which—

(1) 299 were at Deoli Camp,

(2) 380 at Berhampore,

(3) 785 in village internment,

(4) 483 in home internment,

(5) 85 in training centres, and

(6) 84 in various jails besides 16 prisoners under Regulation III of 1818?

(*b*) Is the Hon'ble Minister aware that the Government communique published subsequently stated that there were altogether 1,550 detenus at the time out of whom 1,100 were going to be released presently and the remaining 450 detenus later on?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, were the remaining detenus released during the intervening period between the statement of the Hon'ble Minister and the Government communique?

(*d*) If the answer to (*c*) is in the affirmative, what was the number of detenus of different classes and what were the conditions of their release?

(*e*) Have the Government fully implemented the release of 1,100 detenus as promised in the Government communique and has any condition been imposed on any of them?

(*f*) What steps have the Government taken till now for the release of the remaining 450 detenus?

(*g*) Will the detention of the detenus be treated as a disqualifying factor for Government service?

(*h*) If the answer to (*g*) is in the affirmative, what steps do the Government contemplate for their employment in private firms? If the answer to (*g*) is in the negative, what steps are the Government adopting for their employment under the Government?

(*i*) What was the amount paid to the detenus as allowance before their release?

(*j*) What is the amount paid to them after their release?

(*k*) What was the average rate of allowance before release and what is the same after the release?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) I regret that I have not been able to trace any statement in this House containing the exact figures quoted by the hon'ble member.

(*b*) No.

(*c*) and (*d*) Do not arise

(*e*) Yes. In 1,106 cases the only condition imposed is that of notifying address and change of address.

(*f*) Cases are being reviewed at short intervals and since November, 1937, there have been many relaxations with a view to release in the future.

(*g*) Not necessarily.

(*h*) The hon'ble member is referred to the communiqué issued on the 5th January, 1938.

(*i*) and (*j*) This varied in different cases.

(*k*) Detenus in village domicile drew between Rs. 25 and Rs. 30 per month. The allowances sanctioned for those in home domicile are being continued. They vary in different circumstances as also does the allowances granted to detenus with dependants. In the case of detenus without dependants recently released from village domicile the allowance is Rs. 15 per mensem.

Detenu Babu Jyotirindra Chandra Datta.

***208. Mr. MD. ABDUL HAKIM VIKRAMPURI:** (*a*) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state whether Babu Jyotirindra Chandra Datta, detained at Berhampore Camp, has been suffering from chronic dysentery for three years?

(*b*) If so, have the Government informed his parents of the present condition of his health?

(*c*) Will the Hon'ble Minister be pleased to make a statement of the step taken by the Government for his proper treatment?

(*d*) Are the Government considering the desirability of taking immediate steps to release him unconditionally?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) whether Babu Jyotirindra Chandra Datta was arrested in August, 1932; and

(*ii*) whether it is a fact that after several representations an allowance of Rs. 15 only was sanctioned for the maintenance of his old parents and near relatives as late as in May, 1935?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state why he was not granted any allowance shortly after his arrest?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Clinical examination was negative.

(*b*) Does not arise.

(*c*) He was carefully examined and treated by the medical staff in charge of the Camp.

(*d*) Relaxation in the form of domicile in the Dinajpur district has been granted.

(*e*) Yes.

(*f*) On his arrest the detenu was confined in jail and then in Berhampore Camp where he enjoyed the allowances sanctioned in all such cases.

Health of the detenus Srijuts Pramatha Nath Bhowmik, Nirmal Chandra Das and Kalidass Bose.

***209. Mr. ATUL KRISHNA GHOSE:** (*a*) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state

the present condition of health of the detenus Srijuts Pramatha Nath Bhowmik, Nirmal Chandra Das and Kalidass Bose of the district of Khulna?

(*b*) Is it a fact that the health of Srijuts Pramatha Nath Bhowmik and Nirmal Chandra Das has been shattered?

(*c*) Have the authorities of the Berhampore Detention Camp taken any steps for their proper treatment?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Good.

(*b*) No.

(*c*) They are not in the Camp and the authorities there have nothing to do with them.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*a*), does the Hon'ble Minister remember that only the other day he said in reply to a question of Babu Nagendra Nath Sen that the case of Nirmal Chandra Das was not a good one even after his undergoing two operations, and how is it that in to-day's reply he says that the condition of his health is good?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would ask for notice.

Mr. ATUL KRISHNA GHOSE: Does the Hon'ble Minister remember the fact that in reply to my supplementary question he gave me an assurance that he would arrange for a third operation, and how is it that he now says that his health is good?

The Hon'ble Khwaja Sir NAZIMUDDIN: The detenu was examined by the Civil Surgeon, Dacca, on the 17th February. He has Peronea but does not want to be operated upon.

Mr. ATUL KRISHNA GHOSE: How long have Pramatha Nath Bhowmik and Nirmal Chandra Das been domiciled?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Detenu Babu Girindra Nath Das of Joyair.

***210. Mr. AMRITA LAL MANDAL:** (*a*) Will the Hon'ble Minister in charge of the Home (Special) Department be pleased to state where is the present detenu Babu Girindra Nath Das of Joyair, police-station Kalihati, district Mymensingh?

(*b*) What is the present condition of his health?

(*c*) Is it a fact that he has been suffering from gastric pain, dyspepsia and pain in the ribs?

(*d*) What was his weight at the time of arrest and what is it now?

(*e*) If the answer to (*c*) is in the affirmative, how long has he been suffering and what steps the Government have taken for his treatment?

(*f*) What is the rate of allowance paid to him?

(*g*) Has any reduction been made in it after the last hunger-strike?

(*h*) Is it a fact that the detenu is indebted to the Tangail Co-operative Bank and for this debt the bank is about to execute the decree?

(*i*) Do the Government contemplate any measure for the liquidation of this debt of the said detenu? If not, why not?

(*j*) Is it a fact that Babu Jamini Kanta Das, Muktear, Tangail, uncle of the detenu, submitted a prayer on the 23rd October, 1937, to the Government either for his release or for home internment with him as guardian?

(*k*) If the answer to (*j*) is in the affirmative, do the Government contemplate either his release or home internment at an early date? If not, why not?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) to (*c*) The detenu who is now interned in a village in Bogra has complained of gastric troubles at various times since his arrest. He has been carefully prescribed for after expert examination including X'Rays but has not carried out the medical regime advised. He is under the treatment of the Civil Surgeon, Bogra, now. His present weight is 96 lbs. I do not know what his weight was at the time of his arrest.

(*f*) Rs. 25.

(*g*) No.

(*h*) Representation has been made to Government to this effect.

(*i*) Government do not undertake liability for the debts of a detenu incurred before arrest.

(*j*) Yes.

(*k*) His case has recently been reviewed and will again be reviewed in accordance with the policy announced in this House.

For the present it has been decided that he will remain in Bogra.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that he could not carry out the medicinal regime advised to him because of want of funds and because of the fact that his allowance was very meagre?

The Hon'ble Khwaja Sir NAZIMUDDIN: My information is that he refused to carry out the medicinal regimé. I shall, however, make enquiries into this.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state who looks after him in his illness?

The Hon'ble Khwaja Sir NAZIMUDDIN: When he is in hospital, he is looked after according to the hospital arrangements. When he is in village domicile, he is to employ his own staff.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state what is his disease now?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the hon'ble member to my reply to (*a*) to (*c*).

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether any additional allowance will be given for employing additional staff in his home domicile?

The Hon'ble Khwaja Sir NAZIMUDDIN: When the condition of the detenu is such that he requires any expert nursing, he is brought to hospital, otherwise a detenu is supposed to have somebody within the allowance that he is given for looking after him.

Mr. BIRENDRA NATH MAZUMDAR: Will the Hon'ble Minister be pleased to state if the detenu is at present in the hospital or interned in a village?

The Hon'ble Khwaja Sir NAZIMUDDIN: I believe he is in village domicile in Bogra. I ask for notice, Sir.

Internee Babu Bhabani Prasad Chakravarty.

***211. Mr. AMRITA LAL MANDAL:** (*a*) Is the Hon'ble Minister in charge of the Home (Special) Department aware of the fact that in accordance with the declaration of the Government policy all the home and village internees would be released?

(*b*) Have all the home and village internees been released?

(*c*) If so, why Babu Bhabani Prasad Chakravarty, son of Srijut Rameswar Chakravarty, a home internee at Tangail, has not been released?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) and (*b*) No.

(*c*) Does not arise.

Officer in charge of Maureswar police-station, Birbhum.

***212. Babu NARENDRA NARAYAN CHAKRABARTY:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether a petition, dated the 28th December, 1937, and signed by Babu Sasadhar Paul and Babu Nanilal Saha of Kamarhati and Babu Helaram Sarkar of Maureswar in the Birbhum district was submitted to the Divisional Commissioner, District Magistrate and the Superintendent of Police of Birbhum complaining against the officer in charge of the Maureswar police-station?

(*b*) If so, what action, if any, has been taken on the said petition?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes, so far as petitions to the District Magistrate and Superintendent of Police are concerned.

(*b*) A confidential enquiry was held by the Superintendent of Police, Birbhum, personally, and the allegations were found to be baseless.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what were the allegations contained?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any local enquiry was held?

The Hon'ble Khwaja Sir NAZIMUDDIN: I refer the hon'ble member to my reply (*b*).

Dr. NALINAKSHA SANYAL: I say local enquiry. Was any local enquiry held?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Babu NARENDRA NARAYAN CHAKRABARTY:

বাবু ননীলাল সাহা ও শশধর পালের বিরুদ্ধে কোন রকম ভীত্তিহীন অভিযোগ আনবার জন্য তাদের বিরুদ্ধে অভিযোগ আনা হয়েছিলো কি না এবং তাদের বিরুদ্ধে কোন নালিশ রুজু করা হয়েছে কি না?

The Hon'ble Khwaja Sir NAZIMUDDIN: I refer the hon'ble member to my answer to (*b*).

Mr. JOGESH CHANDRA GUPTA: I submit, Sir, that is no answer. If the Hon'ble Minister wants the question to be translated into English, I shall do so. The point of the question was whether any steps have been taken for prosecuting Nanilal Saha, Sasadhar Pal and others for bringing baseless charges. That is the point.

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if the movements of the three young men referred to in question (*a*) are being intertered with by the Police, and, if so, is not the action of the Police improper?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is an expression of opinion.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether the Police has got any authority whatsoever to seize each and every book which is not proscribed?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: In reply (*a*) the Hon'ble Minister says that some books were seized. Are we to understand that each and every book——

Mr. SPEAKER: That question does not arise.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state if the books of Vivekananda series and Gandhi series are proscribed?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice, Sir.

Mr. ATUL KRISHNA GHOSE: Does the Hon'ble Minister consider the desirability of prohibiting the police from seizing Vivekananda and Gandhi series books which are highly admired by educated people?

The Hon'ble Khwaja Sir NAZIMUDDIN: These things were done in 1935 under certain special measures and under certain conditions then existing.

Mr. ATUL KRISHNA GHOSE: Are we to understand that henceforward the Police will not do any such thing?

The Hon'ble Khwaja Sir NAZIMUDDIN: If those conditions do not exist.

Movement of Sunirmal Datta, Bharat Ranjan Sarma Roy and Gopi Mohan Saha.

*213. **Mr. DHIRENDRA NATH DATTA:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether any written order was passed on the following accused in the Medda Dacoity case, restricting the movement of—

(*i*) Sunirmal Datta, son of Babu Sarada Kanta Datta, inhabitant of Brahmanbaria in the district of Tippera, after his release on 30th of May, 1936; and

(*ii*) Bharat Ranjan Sarma Roy and Gopi Mohan Saha after their release on 12th June, 1936, from the Andaman Jail?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state whether he is aware—

(*i*) that the above three young men are not allowed to leave any place without the permission of the Police Department;

(*ii*) that this has hampered the ordinary avocation of their life;

(*iii*) that Sunirmal Datta got an appointment in the Hem Sura Tea Garden in the Province of Assam and another in the Bengal Immunity Company, Limited, Calcutta, but he was not allowed to proceed to those places as the police prevented him from leaving the town of Brahmanbaria; and

(*iv*) that Sunirmal Datta and Bharat Ranjan Sarma Roy have made complaints to the Superintendent of Police and to the District Magistrate regarding interference of the police?

(*c*) If the answer to (*b*) is in the affirmative, are the Government considering the desirability of—

(*i*) removing the restrictions on them; and

(*ii*) allowing them an opportunity to carry on the ordinary avocation of life?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*), (*b*) (*i*) and (*iii*) No.

(*ii*) Does not arise.

(*iv*) No such complaints have reached the District Magistrate or the Superintendent of Police.

(*c*) Does not arise.

Seizure of certain books from the houses of Srijut Kunja Behari Prodhan and Srijut Achuta Maiti, of Midnapore.

***214. Mr. DEBENDRA LALL KHAN:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state whether the houses of Srijut Kunja Behari Prodhan of village Khuntia, police-station Kharagpur Rural, and Srijut Achuta Maiti, of village Gokulpur, police-station Kharagpur Rural, district Midnapore, were searched in 1935 and books numbering about thirty or more belonging to the Vivekananda Series and Gandhi Series were seized by the police during the searches?

(*b*) Whether they are proscribed ones?

(*c*) If not, have they been restored to the persons from whose custody they were seized and removed?

(*d*) Were any representations, oral and written, made by the persons concerned for the restoration of those books to them?

(*e*) Whether the books have been returned? If not, why not?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Some books were seized.

(*b*) and (*d*) No.

(*c*) The books so seized during the last few years are being sorted out and returned. Their return to the owners will be expedited if the persons concerned write to the District Magistrate.

(*e*) Reference is invited to reply to (*c*) above.

Recruitment of Indian Christians in the police service.

***215. Dr. H. C. MUKHERJI:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to lay on the table a statement showing the number of police constables appointed in the different districts of Bengal including Calcutta with the following particulars:—

(*i*) the total number of constables in service in each district on the 31st December, 1937;

(*ii*) the total number of constables appointed since the 1st January, 1934, in each district every year; and

(*iii*) the total number of constables appointed from the members of the Indian Christian community every year in each district since January, 1934?

(*b*) If the number of Indian Christian constables is small, will the Hon'ble Minister be pleased to state the reason?

(*c*) Is any advertisement issued for the recruitment of police constables every year in each district?

(*d*) Do Government contemplate revising its present policy in the matter of recruitment of Indian Christians in the police service in order that they might be properly represented?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) A statement is laid on the table.

(*b*) Indian Christians are to compete with non-Muhammadans on equal terms, and provided they satisfy the required test, there is no bar to their employment. It is reported that very few from this class with requisite physical and other qualifications offer themselves for enlistment.

(*c*) and (*d*) No.

Statement referred to in the reply to clause (a) of starred question No. 215 showing the number of constables appointed in different districts of Bengal.

District.	Total number of constables in service on 31st December, 1937.	Number of constables appointed in				Number of constables appointed from Indian Christians			
		1934	1935.	1936	1937.	1934	1935	1936.	1937.
1. Sealdah, Government Railway Police .	276	10	7	15	5	..	..	..	..
2. 24-Parganas	1,960	155	61	119	43	..	1	..	..
3. Nadia ..	794	47	26	42	25	..	..	1	..
4. Jessore ..	531	68	39	37	15	..	..	..	..
5. Khulna ..	524	60	52	32	28	..	..	..	..
6. Murshidabad	740	35	17	47	33	..	..	..	..

District.	Total number of constables in service on 31st December, 1937.	Number of constables appointed in				Number of constables appointed from Indian Christians			
		1934	1935.	1936	1937.	1934	1935	1936	1937.
7. Howrah Government Railway Police ..	253	14	7	5	11	.	..	.	
8. Hooghly ..	1,206	132	57	85	6	.	.		
9. Howrah	1,354	108	105	85	32		.		.
10. Midnapore	993	79	88	123			1		
11. Burdwan ..	804	65	35	39	13		1	1	
12. Bankura .	472	18	21	10	18				.
13. Birbhum .	315	15	16	24	4			.	
14 Dacca	1,365	68	36	83	27	.			.
15 Mymensingh	1,293	57	68	71	17	1			.
16. Faridpur ..	705	39	21	31	13				
17 Tippera .	632	15	28	20	14			..	
18 Chittagong	850	55	37	89	33				
19 Noakhali	326	22	13	6					
20. Bakarganj ..	944	105	84	92	55				.
21 Rajshahi ..	577	25	25	25	14		1		
22. Jalpaiguri ..	481	61	42	72	22				
23. Darjeeling .	521	18	10	6	48				1
24 Bogra	290	30	7	12	14		.		.
25 Malda .	357	23	20	13	17				
26. Pabna .	468	53	22	24	27				
27. Dinajpur ..	554	22	37	24	23				
28. Rangpur	642	36	22	32	35	1			
29. Police Training College .	13							.	.
30. Saidpur Government Railway Police ..	255	11	9	15	8	..	.	.	
31. Criminal Investigation Department ..	53	.	..				..		
32. Intelligence Branch ..	364	..	.	.	.	..	.	..	
33. Calcutta ..	4,564	117	211	162	114	1	1	..	.
Total ..	25,474	1,559	1,303	1,443	731	3	5	2	1

Mr. SHAH ABDUR RAUF: Out of the constables appointed, will the Hon'ble Minister be pleased to state how many are Bengalees and how many are non-Bengalees?

Mr. SPEAKER: That question does not arise here. The question here is in regard to Indian Christians.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Detenu Paresh Chandra Sanyal.

47. Mr. CHARU CHANDRA ROY: (*a*) Is the Hon'ble Minister in charge of the Home (Special) Department aware that the health of detenu Paresh Chandra Sanyal is totally broken?

(*b*) What is his present weight and what was it when he was first arrested?

(*c*) Will the Government be pleased to state what action has been taken by the Government up till now for the treatment of the detenu and with what result?

The Hon'ble Khwaja Sir NAZIMUDDIN: The health of the detenu has been improving under treatment in Calcutta and his weight has increased. It is now 129 lbs. against 124 lbs. when he was admitted. I have no information as to his weight when first arrested. It has now been decided to domicile him at his home.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state what is the disease from which Paresh Chandra Sanyal is suffering from?

The Hon'ble Khwaja Sir NAZIMUDDIN: The detenu came to the Presidency Jail in 1937; complained of temperature, indigestion, insomnia and loss of weight; has been treated by special dietary medicine; no temperature and no insomnia now; reported to be feeling better. Weight gone up.

Mr. CHARU CHANDRA ROY: My question is what is the disease from which he is suffering?

Mr. SPEAKER: The Hon'ble Minister has already answered.

Mr. CHARU CHANDRA ROY: I am not a medical man, Sir.

Mr. SPEAKER: Nor is the Hon'ble Minister. I do not think he can give a name to the disease. He has given details of the case.

Mr. CHARU CHANDRA ROY: Was he X'rayed and what is the result?

The Hon'ble Khwaja Sir NAZIMUDDIN: He was not X'rayed.

Night counting of convicts in jails.

48. Maulvi ABU HOSSAIN SARKAR: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether it is a fact that the practice of night counting of convicts with lanterns and other materials in a very loud voice at frequent intervals by night watchmen has been stopped in all jails in Bengal?

(*b*) If not, what are the names of those jails in which the practice is still in force?

(*c*) Is the Hon'ble Minister aware that the practice disturbs other prisoners in their sleep?

(*d*) Are the Government considering the desirability of stopping the practice altogether?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) to (*c*) The procedure is laid down in Jail Code Rules 453 and 457 and applies to all central and district jails. I am not aware of any complaints having been made in the sense suggested by the hon'ble member.

(*d*) No.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble the Home Minister be pleased to state whether he is aware of the fact that the practice of night counting in the Alipore Central Jail has been suspended in modification of the Jail Rules mentioned by the Hon'ble Minister?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of it.

Dr. SURESH CHANDRA BANERJEE: From personal experience we know that——

Mr. SPEAKER: I do not think you can narrate your personal experience here. You can only ask a supplementary question.

Dr. SURESH CHANDRA BANERJEE: From personal experience I know that night counting of convicts in the jail disturbs the sleep of the prisoners. Will the Hon'ble Minister be pleased to enquire whether this is a fact, and if it is a fact will he please take steps to stop it?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, so far as I am aware we have not received any complaints about it, but I am prepared to look into this question. But there are obvious practical difficulties especially in the case of prisoners who are on the second and third floor in some jails.

Mr. SYED JALALUDDIN HASHEMY: Is the Hon'ble the Home Minister aware of the fact that during the last Budget discussion with regard to jail Srijut Nagendra Nath Sen of the Opposition discussed this matter on the floor of this House?

Mr. SPEAKER: That question does not arise.

Mr. SYED JALALUDDIN HASHEMY: The Hon'ble Minister said that he is not aware of that at all.

Mr. SPEAKER: That is not a question.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state whether he is prepared to take our evidence from this side of the House to show that the practice of night counting disturbs the other prisoners very much?

Mr. SPEAKER: I am afraid, I cannot allow that.

Indian Christians in the Police Department.

49. Mr. S. A. Comes: (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to lay on the table a statement showing, separately, rank by rank, for the Bengal Police and of the Special Branch of the Calcutta Police—

(*i*) the total numerical strength of the staff employed in—

(1) the Intelligence Branch,

(2) the Criminal Investigation Department, and

(3) the Finger Print Bureau; and

(*ii*) the number of Indian Christians in the different ranks of these branches?

(*b*) Are the Government considering the desirability of taking steps for encouraging employment of properly qualified Indian Christians?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) A statement is laid on the table.

(*b*) The appointments to these ranks are made by selection. Vacancies are filled by the selection of the best qualified men irrespective of the community they belong to.

Statement referred to in the reply to clause (a) of unstarred question No. 49.

Bengal Police	Number of Deputy Superintendents of Police	Number of Inspectors.	Number of Sub-Inspectors.	Number of Assistant Sub-Inspectors.	Number of Head constables.	Number of Constables	Number of Indian Christians.
Intelligence Branch (including temporary staff).	10	29	96	47	23	366	Nil
Criminal Investigation Department.	..	31	13	8	2	58	
Finger Print Bureau	.	1	17	..	.	.	

Calcutta Police	Number of Deputy Commissioners	Number of Assistant Commissioners	Number of Inspectors	Number of Sub-Inspectors.	Number of Sergeants	Number of Assistant Sub-Inspectors	Number of Head constables.	Number of Constables	Number of Indian Christians.
Special Branch (including protective staff)									
Permanent ..	1	1	5	11		18	1	59	Nil
Temporary	1	1	6	11	1	18	1	132	*1 †1

*In the rank of assistant sub-inspector

†In the rank of constable.

Procedure for answering questions.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, I wish you to answer a question. I find that both in the list of Starred Questions and in the list of Unstarred Questions to-day, all the questions relate to one department. I do not know if this is to be fortuitous; and I wish to ask you if any new arrangement without the knowledge of this House has been made so that one day in the week would be allotted to each Minister for those questions which relate to his department; because I think that all the questions concerning the different departments ought to come in the order of their natural priority.

Mr. SPEAKER: I think I will explain that. I found this time as also last time so many difficulties in the arrangement of questions, with the result that the questions were not answered in their proper order and I found that practically on the same matter several questions are put day after day and several supplementary questions. In order to avoid this and to have all the questions on the same subject answered together, that, as an experiment, I suggest that it would be very much easier and preferable if particular departments answer their questions

on particular days, but if there is any surplus it might be answered on the next day. I want to see how it works and after that I will consult the Leaders of the different groups to find out whether this system should be continued or not. But it goes without saying that because there is only one day for one department, the rest of the questions will not be answered. I am anxious that all the questions should be answered as quickly as possible and that members should get facilities to know as to when they are going to be answered. But if on this point there is any difficulty among the members, I am quite prepared to hear them in my Chamber and settle the matter.

Mr. TULSI CHANDRA GOSWAMI: But there is one thing; we should like to know how long this experiment will be prolonged, I mean, what is your idea of the duration of your experiment?

Mr. SPEAKER: I want to see whether by this arrangement we can expedite answers to questions.

Mr. TULSI CHANDRA GOSWAMI: What will happen to priority of questions?

Mr. SPEAKER: There is no priority. The idea is that the answers are to be given as quickly as possible in whichever order the questions are.

Mr. TULSI CHANDRA GOSWAMI: I thought there was some order in giving answers.

Mr. SPEAKER: There is no order, but I am trying to evolve a system by which the questions can be answered in their proper order, and if we can keep a watch over the different departments we shall be able to find out as to where the delay is in answering the questions promptly. Anyhow I shall be glad to discuss this matter with you in my Chamber this evening or to-morrow.

Mr. NALINAKSHA SANYAL: I understand, Sir, the delay is mostly due to the holding up of the questions in your department which is sometimes for a period as long as 21 days, 20 days and 15 days.

Mr. SPEAKER: Well, I will give you a statement to-morrow as to the exact position. I assure you it is not the case.

Point of information with regard to the implication of cut motion.

Maulvi ABDUL BARI: On a point of information, Sir. During the budget discussion a question has arisen as to the effect and implications of the cut motion. Some of the members are of opinion that the carrying on of the cut motions means a censure of no-confidence in the Ministry. Some are of opinion that it does not amount to that. We shall be very grateful if you will kindly enlighten this House with your ruling as to what is the true implication of the "cut motion".

Mr. SPEAKER: This is a very important question which I hope the House will not expect me to answer off-hand. Generally speaking, I think, that if there is any important measure which Government considers to be one of sufficient importance, a defeat of Government on that tantamounts to a vote of censure; it has no longer the confidence of that section of the House which supports it if they go against it, but at the same time, I must say that it has been a general convention in the House of Commons that any defeat of Government on any vital matter, even though it is not exactly a matter of confidence, tantamounts to a question of "no confidence". Whether it is a matter of vital importance or not, it is entirely for the Cabinet to decide, but I think the matter is so complicated that I propose to give a considered decision a day or two after, after looking into the subject. For the time being I feel that if in a matter which Government considers to be one of vital importance the Government is defeated, that tantamounts to the fact that the Government party have not been able to have a majority with them so far as the House is concerned.

Khan Sahib Maulvi SYED MUHAMMAD AFZAL: May I enquire what is the difference between a "cut motion" and "token-cut motion"?

Khan Bahadur JALALUDDIN AHMAD: May I know from you, Sir, if a member disapproves of a policy pursued by Government and he is backed by the group to which he belongs, whether the defeat of the Government as a result, tantamounts to no-confidence in the Ministry?

Mr. SPEAKER: I will give you a decision on that to-morrow.

Dr. NALINAKSHA SANYAL: Sir, on Friday last you were pleased to close the debate at 8 o'clock. This appeared to us to be rather abrupt. Without meaning any disrespect to you, Sir, may I

enquire when on each day you propose to stop the discussion? Because last time Sir Nazimuddin gave us the assurance that on those days when we meet at 4-45 p.m. you will be prepared to extend the time up to 8-45 p.m.?

Mr. SPEAKER: That struck me after I closed the debate at 7-45 p.m. on "Land Revenue". After having closed it, I thought that there was no objection at that stage and so I closed the "Famine Relief" at 8 o'clock. It was entirely an oversight. I could have continued a little later than 8 o'clock. This is a point which as far as I remember was agreed to by Sir Nazimuddin that on those days when we sit at 4-45 they are prepared to sit up to 8-30, but on other days when we meet before 4-45 we shall continue up to 8 p.m.

Dr. NALINAKSHA SANYAL: We want to know the position on Saturdays.

Mr. SPEAKER: The House will sit at 10-30 a.m.

Dr. NALINAKSHA SANYAL: I find that you propose to allot half a day to "Irrigation" and another half day for "Civil Works" on the coming Saturday; if that is so it would be quite impossible to cover discussion on the two subjects.

Mr. SPEAKER: I have to do the best of what I have got.

Dr. NALINAKSHA SANYAL: In that case Saturday will not suit for "Irrigation" and "Civil Works", because within the time available we will not be able to finish off our discussion on these important subjects.

Mr. SPEAKER: I would consider that point.

Mr. ABDUR RAHMAN SIDDIQI: Before the House begins discussion on budget grant, Sir, I wish to have your ruling in a matter which has attracted my attention. In case, Sir, a cut motion is passed at all by this House——

Mr. SPEAKER: I think you were absent when I spoke about five minutes ago. You had better sit down.

DEMAND FOR GRANT.

29—Police.

The Hon'ble Khwaja Sir NAZIMUDDIN: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,07,89,000 be granted for expenditure under the head "29—Police".

Mr. KAMAL KRISHNA ROY: I beg to move that the demand of Rs. 2,07,89,000 be reduced by Rs. 100. (Encroachment on civil liberties and general policy.)

মাননীয় সচিবমহাশয় পুলিসের খাতে ব্যয়ের বরাদ্দের জন্য যে প্রস্তাব আনয়ণ কোরেছেন আমি সেই প্রস্তাবিত বরাদ্দের টাকা হোতে ১০০৲ টাকা কমাবার জন্য ছাটাই প্রস্তাব উপস্থিত কোরছি। এই ছাটাই প্রস্তাব উত্থাপন করার একটু পূর্বেই দু'একজন মাননীয় সভ্য ছাটাই প্রস্তাব পাশ হলে পর মন্ত্রীত্বের কি হয় সে সম্বন্ধে আলোচনা কোরেছেন। প্রত্যেক বাজেটে যখনই কোন ছাটাই প্রস্তাব উপস্থিত করা হয়, সেটা দ্বারা মন্ত্রীদের উপর অনাস্থা জ্ঞাপন করা হবে এইরূপ একটা আবহাওয়ার সৃষ্টি কোরে,—আমার নিজের বিশ্বাস, সভ্যদের অনেকের মনের মাঝখানে একটা ধোকার সৃষ্টি করা হয়। অথচ দেখা যায়, বছরের পর বছর যাচ্ছে, বাজেটের পর বাজেট হচ্ছে, যাদের টাকা নিয়ে বাজেট হচ্ছে, তাদের অবস্থার কোনই পরিবর্ত্তন হয় নাই। ইতিপূর্ব্বে বাংলার ভাগ্য গগনে যখন দুচার জন জ্যোতিষী বিধাতা মন্ত্রীরূপে দেখা দিয়েছিলেন, তখন মনে হতো মাত্র দুচার জনে ৮।১০টী চোখে সমগ্র বাংলার দুঃখকষ্টের অবস্থা কিছুই দেখতে পেতেন না। এবারে বাংলার ভাগ্যগগনে যখন একাদশ গ্রহ উদিত হলেন, তখন ভেবেছিলাম—দু'চার জন মন্ত্রীর আমলে যে বাংলার দুর্দ্দশা কিছুই লাঘব হয় নাই, এখন এই একাদশ গ্রহ উদিত হবার সঙ্গে সেই দুর্দ্দশাগ্রস্ত বাংলার ভাগ্য পরিবর্ত্তন অবশ্য কিছু ঘটবে। কিন্তু দেখছি—দুচার জনের জায়গায় একাদশ মন্ত্রী হয়েও বাংলার যে অবস্থা তাই আছে। (some members একাদশ গ্রহ নয় শুধু একাদশজন বৃহস্পতি।) আজকে পুলিসের grant বাবদে যে প্রস্তাব উত্থাপিত হয়েছে সেই প্রস্তাব সম্বন্ধে সত্যি সত্যিই যদি আমরা চিন্তার সহিত বিবেচনা করি—কবে দেখতে পাবো—যে এই পুলিশ গ্রান্ট সম্বন্ধে শুধু আমাদেরই নয়, গভর্ণমেণ্ট বহু খরচ কোরে যে সকল expert বা অভিজ্ঞ ব্যক্তিদের এ সম্বন্ধে অভিমত নিয়েছেন, তাঁদের নির্দ্দেশমত কাজ না করার ফলে এই বিভাগের ব্যয় সঙ্কোচ না হয়ে উত্তরোত্তর বৃদ্ধিই পাচ্ছে। এই পুলিসের ব্যয় বরাদ্দ সম্বন্ধে আমাদের অবশ্য কর্ত্তব্য আমরা যতদিন স্থির কোরতে না পারবো, ততদিন পর্য্যন্ত অন্য কোন বিভাগের কোন রকম উন্নতির সম্ভাবনা নাই। বরাবরই দেখতে পাই যে ১৩ কোটি টাকা যেখানে খরচ হবে তার ভিতর হতে ২ কোটিরও বেশী পুলিশ বিভাগের জন্যই খরচ হয়। পাঁজিতে যেমন লেখা থাকে একশ আড়া জল হবে, কিন্তু কালে দেখা যায় স্থান বিশেষে বরাবরই অনাবৃষ্টি চোলেছে—আবার দুএক জায়গায় অতিবৃষ্টি। যেখানে অনাবৃষ্টি সেখানে পাঁজি নিংড়ালেও এক ফোঁটা জল বেরোয় না, অথচ চেরাপুঞ্জীতে অতিবৃষ্টি লেগেই রয়েছে। সেই রকম সরকারের বিভাগগুলিতেও। যেমন শিক্ষা, স্বাস্থ্য, কৃষি, শিল্প প্রভৃতি বিভাগে কোন রকম কিছু ব্যবস্থা হবার পূর্ব্বে পুলিশ বিভাগে, যেটা গভর্ণমেণ্টের চেরাপুঞ্জী, সেখানে

অতিবর্ষণের অভাব কিছুমাত্র নাই। গত ১০।১২ বছর যাবৎ স্বাস্থ্য বিভাগ ও শিক্ষা বিভাগের উন্নতির জন্য গভর্ণমেণ্ট থেকে কত স্কীম্ করা হয়েছে, কত স্কীম্ পাশ্ করা হয়েছে, কিন্তু তার অধিকাংশই আজ পর্য্যন্ত কার্য্যকরী করা হয় নাই। অথচ আপনারা প্রত্যেকেই বোধ হয় একথা স্বীকার কোরেচেন—যে পুলিশের সম্বন্ধে এমন কোন পরিকল্পনা হয়েছে, যা নাকি কার্য্যে পরিণত কোরতে কখনও দেরি হয়েছে? অন্যান্য বিভাগের কোন কিছু উন্নতি কোরতে গেলে গভর্ণমেণ্টের অর্থসঙ্কট উপস্থিত হয়, কিন্তু পুলিশের ব্যাপারে খরচ কোরতে গভর্ণমেণ্টের কার্পণ্য তো দূরের কথা—প্রয়োজনের অতিরিক্ত খরচও অনায়াসেই হয়ে থাকে। এই যে প্রয়োজনের অতিরিক্ত বার বার যে খরচ করা হয়েছে এটার ফল কি হয়েছে সেটা আমি পরে বোলবো।

গভর্ণমেণ্ট অত বায় কোরে যে Swan Committee বসিয়েছিলেন সেই Swan Committee র রিপোর্টে পুলিশের খরচ কমানোর ব্যবস্থা যা কিছু রয়েছে তার অধিকাংশ কোন কিছুই কার্য্যকরী করা হয় নাই। আমি মাত্র দুএকটী জায়গায় উল্লেখ করবো। Swan Committee পুলিশের খরচ সম্বন্ধে ১৮৩ দফায় বলেছিলেন "

that one of the Assistants to the Inspector-General of Police should be filled by an officer of the rank of Assistant Superintendent or Deputy Superintendent of Police."

তারপর in paragraph 185 the Committee recommended that Additional Superintendents of Police should be replaced, except in 5 districts, by Assistant Superintendents or Deputy Superintendents of Police.

আবার তাঁরা বলেছেন যে Government decided that no reduction was at present possible, but the question would be re-examined when normal conditions returned.

Government decided that it should be considered when normal conditions returned.

Swan Committee র ৪।৫টী অনুমোদন পড়া হয় তা'তে লক্ষাধিক টাকার ব্যয়সঙ্কোচ করা চলতে পারে।)

এম্ভিন্যান্সের যে সকল ব্যাপার হয়েছে সেগুলি থেকে আমরা বোঝাতে চাই যে আমাদের ছাটাই প্রস্তাবের আলোচনার প্রতি তাঁরা যদি কোন দিন মনোযোগ নাও দেন, নিজেরা খরচ কোরে যে সব কমিটি বসান সেই সকল কমিটির অনুমোদন মতন যদি গভর্ণমেণ্ট কিছু না করেন তাহলে অনর্থক খরচ কোরে কমিটি বসান হয় কেন? এখানে তো একথা বলা চোলবে না যে "তাঁরা অভিজ্ঞ নন, সেইজন্য তাঁদের অনুমোদন শুনবো না"। অভিজ্ঞদের নিয়েই কমিটি হয়, যদি তাঁদের সুচিন্তিত অভিমতগুলি গভর্ণমেণ্ট কার্য্যে পরিণত কোরতেন তাহলে এই বিভাগ থেকে অনেক টাকা বাঁচতো। পুলিশ বিভাগ সম্বন্ধে একথা বলবার কারণ আছে। পুলিশ বিভাগ যে খুব বেশী টাকা এদেশের গভর্ণমেণ্টের অন্যান্য বিভাগকে বঞ্চিত ক'রে নিয়ে নিচ্ছে তাই নয়। এতটাকা পুলিশ বিভাগের জন্য খরচ করার প্রকৃতই যদি আবশ্যকতা থাকতো তাহলে বিশেষ কিছু বলবার থাকতো

না,—পুলিশ বিভাগে বেশী খরচ হওয়ার দরুণ অন্যান্য বিভাগের আবশ্যকীয় ব্যয়ের বরাদ্দ কম পড়ে গেলেও ধরতাম না। যদি পুলিশ বিভাগে যে টাকাটা খরচ হয় তদ্দ্বারা জাতির সমূহ ক্ষতি না হ'তো। এখন পর্য্যন্ত পুলিশ দেশের রাষ্ট্র পরিচালনা কোরছে যে মনোবৃত্তি নিয়ে সে মনোবৃত্তির যতদিন না পরিবর্ত্তন হবে ততদিন, আমি বলবো—গভর্ণমেণ্টের Natoin Building এর কাজ কিছুই হবে না—তাদ্বারা nation bleeding হবে।

পুলিশ সম্বন্ধে আমাদের অভিজ্ঞতা কি? কোন পুলিশ যদি একটা গ্রামে উপস্থিত হয়, সমস্ত গ্রামে এমন একটা ভয়ের ছায়া পড়ে যেন সেখানে মড়কের আবির্ভাব হয়েছে। এটা কি একদিনের অত্যাচারের ফলে হয়েছে? তা নয়। এ বিষয় একটু আলোচনা কোরলেই আপনারা বেশ বুঝতে পারবেন—এর পিছনে আছে একটা অযথা অনাচার, অন্যায়, অবিচার, একটা জাতিকে অপমানিত ও লাঞ্ছিত করবার পুঞ্জীভূত ইতিহাস। সেইজন্যই যেখানে পুলিশের আবির্ভাব সেখানেই লোক আতঙ্কে ভীত হয়ে উঠে। সব ক্ষেত্রেই যে এটা ঘটে তা নয়, কিন্তু ক্ষেত্র এত বেশী হয়েছে যে আর কোন নির্দ্দিষ্ট ঘটনা উল্লেখ কোরে প্রমাণ কোরতে হবে না। যতদিন পর্য্যন্ত না পুলিশের মনোবৃত্তির পরিবর্ত্তন হবে ততদিন পর্য্যন্ত পুলিশ বিভাগকে জাতির ধ্বংশ বিভাগই বোলতে হবে। যেখানে, যারা শান্তি রক্ষা করবার কর্ত্তা, শৃঙ্খলা রক্ষা করবার কর্ত্তা, সেখানে তাদের উপস্থিতিতে, শান্তি ও শৃঙ্খলা এক মুহূর্ত্তে দূরে চ'লে যেয়ে একটা ভীতির সৃষ্টি হয়। (A MEMBER: পুলিশ আর রাখবো না, সব উঠিয়ে দেবো!) আমি আসছি ওদিকে, ব্যস্ত হতে হবে না। জানি পুলিশ কিসের জন্যে আছে। চোর, ডাকাতের জন্যে আছে। কিন্তু দেশের চুরি, ডাকাতি কি বন্ধ হয়েছে? নারীহরণ, নারীধর্ষণ কি বন্ধ হয়েছে? পুলিশ তো সেখানে কিছু দেখে না যেখানে তার প্রকৃত কর্ত্তব্য আছে। আপনারা বুকে হাত দিয়ে বলুন—এমন কোন গ্রাম আছে—যেখানে পুলিশের উপস্থিতিতে গ্রামের লোকদের বুকের ভিতর দুরু দুরু করে কেঁপে না উঠে? কৈ অন্য মানুষকে দেখলে তো তা হয় না। এরজন্য দায়ী কে? আজকে আপনারা দায়ী না হোতে পারেন। কিন্তু আমরা একথা বলাতে চাই বছরের পর বছর, দিনের পর দিন সমস্ত শাসন এমনভাবে চালানো হয়েছে যারজন্য সমস্ত জাতি পুলিশের নাম শোনবামাত্র ভয় পেয়ে উঠে। প্রকৃত প্রস্তাবে পুলিশ হবে শান্তির সহায়ক, শৃঙ্খলার সহায়ক, পুলিশের নামে জাতির মনে আনন্দ আসবে, তা না হয়ে, স্বীয় কার্য্যের গুণে পুলিশ হয়েছে সমগ্র জাতির একটা ভীতির স্থল। আমি পূর্ব্বেই বোলেছি বর্ত্তমান শাসন পরিচালনায় মনোভাবের যতদিন না পরিবর্ত্তন হয় ততদিন পর্য্যন্ত পুলিশ বিভাগের উপর আমাদের তীক্ষ্ম দৃষ্টি রাখা উচিত। রাষ্ট্রশাসনে পুলিশের প্রয়োজনীয়তা নাই একথা যে বলবে—তার বুদ্ধিকে অপমান করা হবে। রাষ্ট্র পরিচালনা করবার জন্য পুলিশের দরকার নাই এমন কথা কে বোলবে? কিন্তু যে পুলিশ সমগ্র জাতির ভীতির স্থল সে পুলিশের প্রয়োজন নাই। আমি বোলতে চাই, পুলিশ পুলিশের মতন হোক। পুলিশ জাতির ভরসাস্থল হোক, পুলিশ সমগ্র জাতির জীবনদাতা হোক, নৈলে প্রতিমুহূর্ত্তে যদি পুলিশ একটা ভীতিরস্থল হয়ে থাকে, তাহলে সে পুলিশ জাতির মঙ্গলকর নয়, কল্যাণকর নয়। সে জাতির ক্ষতিই কোরছে এবং তার থাকা উচিত নয়। যেমুহূর্ত্তে আপনারা পুলিশের শাসন ব্যাপার পরিচালনায় মনোবৃত্তির পরিবর্ত্তন করবার কথা চিন্তা কোরবেন, সেইমুহূর্ত্তে দেখবেন এ বিভাগে এতটাকার প্রয়োজন হবে না। যে কমিটির কথা বোলেছি, সেই Swan Committee র প্রত্যেকটী কথা আপনারা বিবেচনা করে দেখুন তাদের সেই কথা-গুলির কোন যুক্তিযুক্ততা আছে কিনা। একটা জাতির শাসনের জন্য——

(The member having reached the time-limit resumed his seat.)

Maulvi ABDUL LATIF BISWAS: Sir, from the speech of the mover of the motion, it seems to me that the police is a worthless being. From the unqualified denunciation of my friend over there against the police, it appears to me that his speech befits more a platform demagogue than a legislator. Now by the speech of my friend, he has tried to create the impression that police is worthless. If the Government withdraw police from Calcutta for one day, I would ask the honourable member to imagine what would be the condition of those who denounce the police so forcibly. I do not say that police is a blameless creature. Certainly there are blames and blemishes in the police service which it would be our desire to rectify.

Though I do not see eye to eye with my friend, still I admit that the police administration of this country has got many defects which demand the serious consideration of the Government.

The object of the motion is to discuss the conduct of the police in encroaching upon the public liberty. But in his discussion he has not said anything about that. I know his intention was to say that public liberty was encroached upon by the detention of some of the gentlemen. Sir, nobody deplores it more than I, but if for the safety of the larger section of the people, it is necessary to curtail the liberty of a few, it is desirable that that should be done.

Then he has said that the appearance of police in any place creates fear in the mind of the people; it was so but this fear is gradually disappearing. It is the intention of the House to create the impression in the mind of the people that the police of this country will be ideal. That is why we are ready to co-operate with these gentlemen and at the same time, we would ask Government to issue circulars and to see that the police behave with the public in a way which would carry the impression that they are the servants of the public and not their masters. But I may say that after the commencement of the present Government, the idea is gaining ground that the police has changed his attitude towards the public though they have not attained perfection as yet——

Mr. TULSI CHANDRA GOSWAMI: The police are the masters of the Ministers also.

Maulvi ABDUL LATIF BISWAS: I say with the advent of the present Government, the police are no longer masters of the people. It may appear to my friend that they are the masters of Ministers, but the Ministers do not think that, as they have got ample power and control over the police.

Mr. TULSI CHANDRA GOSWAMI: Then you have not read the Government of India Act.

Maulvi ABDUL LATIF BISWAS: The Government of India Act will have to be changed by our action, but it cannot be changed by the touch of a magic wand.

Now, Sir, there is one thing to which I would like to draw the attention of the Government——

Mr. SPEAKER: You may continue your speech after adjournment. I must adjourn the House now for prayer.

(The House was then adjourned for 15 minutes.)

After adjournment.

Maulvi ABDUL LATIF BISWAS: There is one point in which I do not see eye to eye with the Government and in which, it seems, a very anomalous position has been created. It is the question of appointment and dismissal of sub-inspectors of police. We find that the appointment is made by the Inspector-General of Police but the power of dismissal is given to the Superintendent of Police. Now it is generally seen that the sub-inspectors of police work directly under the Superintendent of Police and if any one of them gives knowingly or unknowingly some sort of annoyance to the Superintendent of Police——

Dr. NALINAKSHA SANYAL: May I know, Sir, on what motion he is speaking?

Maulvi ABDUL LATIF BISWAS: I am speaking on the general policy.

By experience it has been found that sometimes if a sub-inspector of police incurs the displeasure of the Superintendent of Police under whom he is working directly, the Superintendent of Police rightly or wrongly on very curious grounds draws up proceedings against the sub-inspector and eventually he is dismissed. It is also found that in most cases when a sub-inspector is dismissed, his appeal is treated in a very bad way and the dismissal, so to speak, is accepted as a general rule. The general rule should be that the appointing authority should have the power of dismissal, and I do not find any reason why the Government should take up this attitude towards this question of appointment and dismissal of sub-inspectors and I hope that the Hon'ble the Home Minister will take sufficient care in future to see that justice is done to these employees.

Another question regarding policy is the manner of recruitment of the constables. Even now-a-days in spite of the assurance of the Hon'ble Home Minister we find that at the time of recruitment of the police constables, the upcountry men are given preference though they deny the fact. The other day in answer to a question figures were given from which it appeared that upcountry men were getting sufficient number of appointments.

Another thing to which I would like to draw the particular attention of the Home Minister is the circular which has been recently issued by the Government. The circular says that the police constables will not have an opportunity of being recruited in the districts to which they belong. Is it possible for these unfortunate fellows to go from district to district for recruitment leaving their own district? I do not find any harm will be committed if they are given the opportunity of being recruited in the district to which they belong.

On these particular points I hope Government will see their way to taking the necessary action.

Maulvi ABDUL BARI: While speaking on this cut motion it is not consistent with the position that I occupy as a member of the Coalition Group——

Mr. NALINAKSHA SANYAL: Whom are you addressing?

Maulvi ABDUL BARI: I am addressing the Speaker, yourself, and the members of the House—to criticise the Government adversely, but it is the right of the members of the Coalition Party to make suggestions to the Government of the grievances that the people have, because it is generally said by the Government and the Hon'ble Ministers that the members of the Coalition Party are the Government itself. Constitutionally speaking, it is so, but in theory and practice, we find that it is not so and therefore we want to draw the attention of the Hon'ble the Home Minister to some of the grievances which we, the members of this Party, on behalf of the people have and that is what we at the time of the discussion of this cut motion want to say. So far as the motion itself is concerned, I am not fully satisfied with the speech that was delivered by my friend Mr. Kamal Krishna Roy, because while discussing the question of the civil liberties and the question of general policy, he spoke at great length on the expenditure under the head "Police" and also stressed the fact of the existence or necessity of the Police as a whole. I agree with him in this that we do not know yet whether really the Police,—the I.C.S. of the Police Department or I.G. —is really the master of the situation or the Hon'ble Minister in charge of the Home Affairs is really the master of the situation. What we find

from experience is that it is really the Secretary and the Inspector-General of Police who are ruling and not the Minister in charge of the Home Affairs. I say this because I have as much grievance regarding recruitment of the constabulary as was forestalled by my friend Mr. Abdul Latif Biswas while speaking on this motion. It has been said time and often that so long upcountry men were recruited but henceforth Bengalees will be recruited, but I think in order to ward off the appointment of Bengalees, the Inspector-General of the Presidency Range has issued a circular overnight to the effect that the constables should be recruited from the district to which they belong. The difficulty is this that those people who are really poor, those who have not sufficient money come for these appointments which carry only a salary of Rs. 17. What is at persent done is this that these people who want to be appointed as constables go to the Superintendent of Police, get their names enrolled, get themselves measured and then the abstract of that entry is forwarded to the neighbouring district. These men do not know to which Superintendent of Police they will have to go and sometimes they have to wait for months together and even then they do not get a chance. I do not know what reason would be given by the Hon'ble the Home Minister or by the Department itself regarding this sort of recruitment If a Sub-Inspector can be recruited from his own district, what prevents the Government from recruiting constables from the district to which they belong. It may be said that if a man is posted to his own district where he may have his relations and acquaintances he may not be able to do justice to the post he holds. If after the training period they are posted to districts other than their own there will not be any difficulty as there is none in the case of sub-inspectors who are recruited from their own district. My apprehension is that the Deputy Inspector-General in order to see that the Bengalees be not recruited has taken recourse to this step, because after some months he will be able to say that Bengalees are not available as these people will not be able to go from district to district unless they have got some relations there to put them up for a little while. If I remember aright I put some question during the last session on this point in reply to which the Hon'ble the Minister was pleased to say that this matter would receive the consideration of Government. I say if the Hon'ble Minister was not absolutely helpless in this matter, he could stop this practice by a stroke of the pen. Though six months have elapsed since then such an order has not been passed. Therefore I really feel that it is not so much the rule of the Minister as it is the rule of Deputy Inspector-General and the Inspector-General and it is for this reason that I wanted to speak on this cut motion, when the question of general policy was raised.

Coming to the question of civil liberty I will make some remarks which, I hope, the Hon'ble Minister will take into consideration. With

regard to the question of civil liberty, I beg to ask if a man has got the right to speak and the right to work, has he not got a further right to perform his religious duties peacefully and calmly. The Hon'ble the Minister will remember that only the other day at the time of the Bakr-id ceremony at Hooghly some Muhammadan students who were sacrificing a cow were arrested by the Superintendent of Police who happened to be a European gentleman. Is there no remedy for that? Am I not entitled to exercise my religion in any way I please particularly at a place which is inhabited by Muslim students only and where not a single non-Muhammadan is to be found. What right had the Superintendent of Police to enter into the sacred compound and arrest so many Muslim students, in order that they may not sacrifice a cow at the time of the Bakr-id. If such things are allowed to happen, the rights and liberties of the people will be nowhere. May I submit to the Hon'ble Minister the report of an incidence which took place only yesterday at Rajshahi, namely, *lathi* charge on the Muhammadan processionists when they were passing by a Cinema House. Of course the Cinema House at Rajshahi has been a bone of contention between the two communities, because it is situated in front of a mosque When this procession was proceeding in front of the mosque, there was a *lathi* charge. I think some action ought to be taken by the Hon'ble Minister and an enquiry should be initiated without further delay.

Then, Sir, if we come to the question of general policy, I would also remark that there should be a change in the general policy, namely, so far as the posts of Deputy Inspectors-General are concerned. Just as members of this House criticised the posts of Commissioners the other day the position of the Deputy Inspectors-General is also the same. There is absolutely no necessity for Deputy Inspectors-General. Previously there were only two Deputy Inspectors-General for the whole of Bengal, but to-day there are as many as five. Now, Sir, what are the duties of a Deputy Inspector-General? Perhaps in the course of a year he goes about and makes some inspections. This can, Sir, very well be done by the Inspector-General himself, by the Superintendent of Police or by any other officer. What is the necessity of paying so much for five Deputy Inspectors-General?

(At this stage the member having reached the time-limit resumed his seat.)

Mr. SHAHEDALI: Mr. Speaker, Sir, there has been recently the policy of Government to create different police outposts in different parts of Bengal, though there is absolutely no necessity for them. Take for example the case of Gazaria within the district of Tippera. Originally this Gazaria area with its 8 unions was within the Munshiganj subdivision within the district of Dacca, but subsequently it was

transferred at a huge cost to the district of Tippera for better administration. This area happens to be to the east of the Meghna and the then Government thought it necessary to place it under the Daudkandi police-station. Since then the inconveniences and grievances of the people of the locality have been removed. I do not know why the present Government want this area to be transferred to the Munshiganj subdivision against the wish and will of the people of the locality. The western boundary of the area, that is, the Meghna river, is about 6 miles off from the Daudkandi police-station and 2 miles off from the Munshiganj police-station. Even if for argument's sake it is admitted that the Gazaria area is transferred to the Munshiganj subdivision, what is the necessity for creating a new outpost there? There are places in the Daudkandi police-station which are situated at a greater distance than the Gazaria area. This place has been transferred at the request of the Dacca people and this has been admitted by the Hon'ble Revenue Minister in reply to a supplementary question put by me. To spend Rs. 8,718 for the establishment of an outpost at Gazaria within the Daudkandi police-station, district Tippera, is nothing but a waste of public money. With these words, Sir, I support the cut motion.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, when I saw that the opposition had placed this cut motion first on their list, I was looking forward to some thrilling speeches in which specific instances would be given, as to how the police have curtailed the civil liberties of the people or encroached upon the civil liberties of the people. The hon'ble mover refrained from giving any specific instance, and, travelling over a wide area made, as has been stated by my friend, a speech which would be more in consonance with the maidan than a Legislative Assembly Chamber! I do not think there was any specific point raised in the speech of the hon'ble mover of this motion which requires a reply. There was one point, however, which I noted down, specially, and which has already been answered by my friend Mr. Abdul Latif Biswas, namely, that the presence of the police, as a rule, frightens the people in the locality. But I would like to point out to him, on the other hand, that as a rule, the presence of the police also brings relief to the people who are being threatened with oppression by assaults and dacoities, and by those who want to take the law into their own hands. In this connection, Sir, I would also like to point out to the members of this House the large number of duties which the police perform, silently and without notice, but their work prevents serious disturbances, serious conflicts and leads to peaceful relationships between the various communities. Sir, allow me to cite the way in which the police manage the various processions on the occasions of, say, the Muharrum or the Durga Pujah. Any one belonging to this House, who has seen how the police, during the last 4 or 5 days, have

been practically 18 hours on duty at a stretch, controlling these processions which in former years, led as a rule to the breaking of heads, serious riots, etc., etc.—the amount of trouble, the amount of patience that they had to exercise, and how peacefully these processions passed off from year to year in Calcutta,—they will then realise the work which the police have to perform. Besides, it has got to be remembered that the police have sometimes to perform duties that are unpleasant, but which they have got to do, and for the sake of keeping peace for the arrest of people who are going to commit crimes, they have got to take action which often is disapproved and disliked. Specially on occasions when communal passions are roused, the position of the police becomes extremely difficult, and they are blamed sometimes by one section of the country and sometimes by both sides. So I would like the members of the House to realise that the police have to perform unpleasant duties. They have got arduous duties to perform, and there are occasions when perhaps mistakes are made, and they are at fault. After all, so far no law has been devised by which you can prevent people from committing wrongful acts and therefore in the police force which is very large, there are men whose actions no one will support. There are people among them whose actions everybody will condemn, but that does not mean that the entire police force should be blamed. The only way in which we can prevent the recurrence of these things is to take drastic action whenever they are brought to the notice of the authorities concerned. And I can assure the house that I am prepared to see that each case that is brought to the notice of the authorities or to myself will be thoroughly enquired into, and if Government is satisfied that they have committed a misdeed they will all be severely and drastically punished. In this matter, the co-operation of the public is also very necessary and we hope that the public will co-operate and assist in setting up a high standard for the police. There are lots of grievances which have been mentioned here but which cannot be remedied unless there are some people who support the police in these matters. Therefore I expect their co-operation and support.

Now, as regards the point raised by Mr. Abdul Latif Biswas about the courteous treatment towards the public, not only I but the Inspector-General of Police, Mr. Farmer, and the Commissioner of Police, Mr. Colson, have both taken up this question in right earnest and on every occasion, whenever possible, they have impressed upon their officers and subordinates and men of the rank that the police should be courteous in their behaviour, should be polite to the public and should not be guilty of high-handedness. They have been told that politeness does not mean weakness and that they can be firm and at the same time be polite in their behaviour towards the public. This is the thing which has been impressed upon the police force in season and out of season. I can assure the members of this House that since the new

Government have come into power, they have taken special care to impress this, and that both the heads of the police force, viz., Mr. Farmer and Mr. Colson, have circularised on this subject, and whenever an occasion arises they impress upon the officers the necessity of seeing that the police are not criticised on the ground of incivility or discourteous treatment. I can assure the members of the House that since the new Government have come into power, they have insisted that as far as the non-armed branch of the Bengal Police and of the Calcutta Police is concerned, they are insisting that none but Bengalis should be recruited. The question of the armed branch of the police is going to be further examined, but in the meantime it is the opinion of both the Inspector-General of Police and the Commissioner of Police that it is difficult to get Bengalis who fulfil the conditions required for service in the armed branch of the police force. I may just mention one point that has been raised by the last speaker about the transfer of the Gajaria thana. I think it is very wrong to say that this has been done merely at the instance of a member of this House from Dacca.

Mr. SHAHEDALI: On a point of order, Sir. The Revenue Minister said the other day at the question time that he had done so at the request of a member from Dacca.

The Hon'ble Khwaja Sir NAZIMUDDIN: My colleague here says that he did not say so. It is not a fact that this has been done merely at the request of a member from Dacca. As a matter of fact, this question was raised as long as five years ago before the late Sir William Prentice. A deputation waited on him at Dacca over this question and administrative approval was given to the scheme as long as three years ago, but it could not be given effect to for want of funds. Practically the people of the Gajaria thana represented to members of the Government, whenever they went to Dacca, the necessity of transferring Gajaria thana from Tippera to Dacca district, and this was a demand from the people because of the difficulties they have been suffering owing to their being attached to the Tippera district. And members from Dacca only brought to the notice of Government the demand of those people, the people of the locality, who had felt a real and genuine grievance in this respect. When I visited Munshiganj about two years ago, a deputation waited on me there on this question. So this is not an issue that has come up only recently, but this is a grievance of the local people which has been before Government for several years.

So far as the recruitment of constables in the districts is concerned, Government think that it is not advisable that the natives of a district should serve in that district as constables. The alternative scheme of recruiting them in the district and afterwards posting them to other districts is under examination. And I can assure the members that

this will be a good change. I am surprised to find, however, that a responsible member of this House has suggested that the Deputy Inspectors-General have simply passed this order in order to avoid recruiting Bengalis. This, I consider, to put it most mildly, to be unreasonable. It cannot be defended because every year the total recruitment figures are submitted to members of this House when questions are asked and if at the end of the year it is found that non-Bengalis have been recruited, the Deputy Inspectors-General, the Inspector-General and the Minister concerned will immediately be in difficulty. Therefore, to suggest that this order has been passed merely to recruit non-Bengalis is, I consider, most unreasonable——

Maulvi ABDUL BARI: May I know when this order will be changed?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have given an assurance that the order will be changed and it will be changed soon; it is under consideration, because to devise means as to how they will be sent from Sarda to the districts, you have got to get over the difficulties that stand in the way, and when this is done, the order will be changed.

So far as the dismissal of some sub-inspectors is concerned, the sub-inspectors have got the right of appeal before the Deputy Inspector-General and the Inspector-General, and ultimately of submitting a memorial before the Government. So I do not see why there should be any objection to the dismissal of sub-inspectors by the Superintendent. This is a thing which has been passed recently. If Government find after experience that it is not working properly, they can re-examine it again. (A MEMBER: After five years?) Yes, very likely. I find the members on the other side are satisfied with my reply, so there is no need to speak more.

The motion that the demand of Rs. 2,07,89,000 be reduced by Rs. 100 was then put and lost.

Mr. SPEAKER: I take it that motion No. 110 is now proposed to be taken up.

Mr. SASANKAR SEKHAR SANYAL: I beg to move that the demand of Rs. 2,07,89,000 be reduced by Rs. 100 in order to discuss the question of meeting the cost of chaukidari establishment out of the provincial revenue, instead of from the Union Board funds.

Sir, my motion is a very modest one. It has not the charm of a political claptrap. I have tabled this motion as a result of the experience which has been gathered by all sections of this House regarding the difficulties in the administration of village welfare in

Bengal. Sir, it is agreed that if we want to revive our province, we must not depend on the past, but we must find out ways and means for building up the nation from the village and with a view to that it is necessary to concentrate our administrative attention more upon the sanitary and educational problems of the villages than upon what has hitherto been done——

Sir, that was also the spirit and conception of the Bengal Village Self-Government Act of 1919. Previously we had no Union Boards, and the villagers were left to live at the mercy of nature and accidents, and they could not be supposed to be ordinarily able to meet the problems of sanitation and problems of education in their day-to-day life, and it was found necessary to give them a chance of organizing themselves on municipal basis, so that they might tackle these problems in their own way and might bring their own solution. But, Sir, the working of the Village Self-Government Units, the Union Boards, has given us this experience that the sinews of the whole matter, namely, money problem remains almost insoluble. Because money which is gathered from the rates collected is mostly, if not entirely, exhausted in meeting the establishment of the chaukidars and dafadars. Sir, in Chapter III of the Village Self-Government Act we find that the appointments are to be made by the District Magistrate practically, because the Union Boards only give their suggestions, and the power of dismissal is also with the District Magistrate, and this power we know by virtue of the statutory authority is delegated to the Superintendent of Police. So practically the position is this that although the power of appointment, supervision and dismissal is in the hands of the higher administrator, the Union Boards have got to pay their salary from their funds. The result is that practically in even the smallest Union Board there are five chaukidars drawing an average pay of Rs. 7 per month and two dafadars on Rs. 8 per month. This would give us an average of Rs. 53 a month. Sir, there are Union Boards,—and I should venture to think the majority of the Union Boards are such,—which after meeting this chaukidari establishment from their funds, have no balance left. So, there can be no question of meeting the problems of education, sanitation and agriculture within the sphere of the Village Self-Government Act and the Village Self-Government Unit. This calls for an immediate remedy. Sir, from the point of view of justice the chaukidars and dafadars should not get any pay from the Union Boards, because they constitute the lowest rung in the cadre of the police service. If the high salaries and allowances and remuneration of people on the top of the administration are morally and legally liable to be paid from the provincial revenues, it is only consistent with fair play and justice that the lowest rung of the administration of the police service should also be paid out of the provincial revenues. Two purposes will be served by this. In the first place, it will release money in the village

for the purpose of constructive work, and in the second, it will bring about some distribution in the grades of the Police Department. With the existing money in their hand, they will be able to make a distribution among the police service itself. Sir, if an analogy is permissible, the Village Self-Government Units and Union Boards are practically the parallels of the Municipalities and City Corporations, and since the Municipalities and City Corporations are not compelled to maintain the police which gives them service in their area, I do not find any reason why and for what reason the chaukidars and dafadars should get their salaries from the small income of the Village Union Board instead of from the provincial revenues.

Sir, it is generally well-known that these chaukidars and dafadars, although theoretically they are to some extent responsible to the Union Boards themselves, still as a matter of course they act more or less as the village agent of the police administration at the top. For instance, when the Circle Officer goes there, and that is not very infrequently, the chaukidars are practically all the time at the services of the Circle Officer, pulling the pankha, carrying the luggage from one place to another, and doing all sorts of errands such as carrying messages and despatches. Practically throughout the day and throughout the week a chaukidar has got to run to the thana to do all sorts of bazar work, public and private of the thana, and he has got to place himself mostly at the disposal of the thana administration, and there is very little time and leisure left to this village policeman to devote himself to the cause of the Union Board itself. So, from all points of view, it is high time that the salaries which are given to this police of the village should be met out of the provincial revenue.

Sir, a question has been raised to-day that a cut motion, if accepted, is a censure upon the Government. I do not know, Sir, the parliamentary implication or the meaning of the convention, but I can speak out my own mind. I tabled this resolution not as a test cut to be taken as a confidence or no confidence in the Government. Sir, I believe in my own experience, and I believe in the experience of almost all members who constitute the Coalition Party, and I will appeal to them to look at the matter from the actualities, and not from a purely conventional point of view. They will ask themselves as to whether they have not come across innumerable instances of Union Boards where these difficulties have been mentioned to them, and I venture to say that almost all of them have been approached by Union Board representatives to see that these difficulties are settled. So I appeal to them to consider whether or not we can release this money for the purpose of village reconstruction. Sir, if we get this Rs. 53 per month approximately what can we not do in villages to-day? We can start primary education in every village, we can improve village amenities and sanitation; we can do

all sorts of things for improvement of roads, agriculture and the like. Sir, even night schools can be started to implement the existing primary schools, and agriculturists, not only boys, but also adults, can come to these night schools not merely for education in three R's, but also in the practical training with regard to agriculture and local problems. Sir, if this Rs. 53 per month is devoted to the Union Board area, then Sir, the life in the village will certainly improve to such an appreciable extent that when my friends who are here would go back to the villages they would find that they have not only done a good thing for themselves, but they have also done a good thing for the constituences which have returned them. So, Sir, I appeal to all sections of the House to consider whether we shall not immediately release this money for the purposes of village reconstruction and I appeal to the Hon'ble the Home Minister also not to take it as a matter of no-confidence, but as a matter of guidance and suggestion. If he agrees that this thing ought to be done, and this can be done, instead of simply sitting upon prestige, I hope, he will have the boldness to accept this suggestion, which will not only enhance the prestige of the Government, but will also add to the happiness of the villagers by removing a lot of misery which at present exists.

***Mr. SHAMSUDDIN AHMED KHANDKAR:** Mr. Speaker, Sir, Mr. Sanyal has raised a question which I hope should receive the attention of the House. The Calcutta Presidency Police is maintained out of the Provincial revenues. Sir, the people of Calcutta are rich, they are born with silver spoons in their mouth, and they are enjoying their life in luxury, and they can afford to pay for the police. But, Sir, no such arrangement up till now has been made for any payment from the pocket of the citizens of Calcutta for the maintenance of the police. A big sum is paid out of the provincial revenues for the maintenance of the Calcutta Police, and why, Sir,—for the safety of people who can afford to pay. The village people also contribute a large sum to this Calcutta Police—why and how I won't discuss. It will take time. But, Sir, these village people pay union rate the minimum of which is 6 annas to the Union Boards—why only for the payment to the chaukidars and dafadars? If anybody goes into the details and looks into the accounts of the Union Boards they will see that out of their collections, 90 per cent. has been spent for the maintenance of chaukidars and dafadars. The balance, namely, 10 per cent. is quite insufficient for any useful purpose, i.e., for the rural uplift, village development or rural reconstruction. Sir, nowadays we hear of big words as "Rural uplift", "Rural development", "Rural reconstruction"; but if the village people pay union rate the major part of which goes to the payment of chaukidars and dafadars and after paying that if they do not get anything how it is possible for them to organise themselves in societies or do anything towards any improvement,

towards any development, towards any uplift, towards any reconstruction. Sir, the payment is quite unnecessary. Here, in Calcutta the provincial revenue which is paid is much utilised on the work of the Calcutta Police, but for the payment which is made towards the expenses of the chaukidars and dafadars, I don't think there is satisfactory return of work. My friend Mr. Sanyal has drawn attention of the Hon'ble Minister to the fact that they are under the double control of the police as well as of the Union Boards. With these two, they have to accompany the police officers in mufassil. I also fully agree with my friend there. Sir, they are bound to go on rounds when some higher officers are in mufassil; in other times, Sir, they attend the Union Board office and sleep fast at night doing absolutely nothing for the village people and, Sir, I do not think there is any necessity for the village chaukidars and dafadars to go out on rounds at night because these village people are very poor; they have only some earthen pots and earthen utensils for which there is no necessity for the chaukidars and dafadars to go on rounds in order to protect the same, and disturb them in their sleep. (Hear, hear.) Then, Sir, so I would submit to this House that some portion of the provincial revenue must go to bear the expenses of these village police if they are at all necessary in the estimation of the Hon'ble Minister. Then, Sir, if it is not possible for the present to contribute anything from the provincial revenue I shall make another suggestion that the present heavy strength is not at all necessary for the union boards. The Union Boards' work may be done with half the present strength and so I would suggest to the Hon'ble Minister that if he is unable to make any grant from the provincial revenues it would be better for him to make a change in the rule so that the Union Boards will have the power to appoint the chaukidars and dafadars according to their needs so that the present strength may be curtailed to half of it.

Maulvi JONAB ALI MAZUMDAR মাননীয় সভাপতি মহাশয়, দেশের জনসাধারণের ধনপ্রাণ রক্ষা, দেশের শান্তি ও শৃঙ্খলা করা, দেশের জনসাধারণের শিক্ষা ও স্বাস্থ্যের ব্যবস্থা করা প্রত্যেক সুসভ্য গভর্ণমেণ্টের কর্ত্তব্য। আমাদের বাংলা দেশে সর্ব্বপ্রথম শান্তি রক্ষার জন্য যে চৌকিদার বর্ত্তমান আছে তাদের বেতন জনসাধারণের ট্যাক্স দিয়ে যোগাতে হয়। আপনারা বোধ হয় অনেকেই জানেন, ইংরাজ রাজত্বের পূর্ব্বে মুসলমান রাজত্বের আমলে গ্রামে চৌকির ব্যবস্থা ছিল, পাহারার ব্যবস্থা ছিল, এবং তারজন্য চাকরান জমি দেওয়া হতো। প্রত্যেক মহালে চাকরান জমি যারা ভোগ কোরতো, তারাই মহালের পাহারাওয়ালার কাজ করে জনসাধারণের যা কিছু ধনসম্পত্তি ছিল তার হেপাজৎ করতো এবং চোর ডাকাতের উপদ্রব হতে তাদের রক্ষা করতো। কিন্তু তাদের চাকরান জমি ইংরেজের আমলে লোপ পেয়েছে, এবং ঐ চাকরান জমি খাস কোরে জমিদারেরা নিয়ে নিয়েছেন। এখন সেই চাকরান জমির জন্য প্রজাদের জমিদারকে খাজনা দিতে হয়, আর চৌকিদারদেরও দেশের জনসাধারণকেই ট্যাক্স দিয়ে পালন কোরতে হয়। বঙ্গীয় স্বায়ত্বশাসন আইনের এই চৌকিদারদের কতকটা ব্যয় বঙ্গীয় প্রাদেশিক গভর্ণমেণ্টের

রাজস্ব হ'তে দেবার যে ব্যবস্থা আছে সেটা নামে মাত্র আছে. কার্য্যতঃ চৌকিদার দফাদারের কোন খরচের অংশ বাংলার কোন জেলায় প্রাদেশিক রাজস্ব হতে দেওয়া হয় নাই বলেই আমার মনে হয়। আর চাকরান জমি সম্বন্ধে আমি যে বলেছি Union Board Manu এ চাকরান জমির আর Union Board তহবিলে জমা দেবার ব্যবস্থা আছে। কিন্তু এখন চাকরান জমি আর কোথাও নাই. সব জমিদারেরা খাস কোরে নিয়েছেন.—নিয়ে পত্তনি দিয়েছেন। এখন পল্লীর অধিবাসীদের,— Union Board এর অধীনস্থ অধিবাসীদেরই চৌকিদারের বেতন যোগাতে হয়। আমার মনে হয়, গভর্ণমেণ্ট এই সব চাকরান জমি জমিদারদের দিয়ে খাস করিয়ে এবং নিজ রাজস্ব তহবিল হতে বিন্দুমাত্রও সাহায্য চৌকিদারদের বাবদে না দিয়ে ভয়ঙ্কর জুলুম কোরছেন। এবং আমরাও বিনা প্রতিবাদে সেই জুলুম সহ্য কোরছি। কেনারকম প্রতিবাদ না কোরে এই ট্যাক্স দিচ্ছি। চৌকিদারদের কাজ কি? তারা Village এ Rural Police এর কাজ করে। আমার পূর্ব্ববর্ত্তী বক্তা বোলেছেন যে কলিকাতায় যে পুলিশ আছে তারজন্য কলিকাতার অধিবাসীদের কোন বিশেষ ট্যাক্স দিতে হয় না। কিন্তু গ্রামের লোক, যারা খেতে পায় না, পোরতে পায় না—এত গরীব, তাদের কাছ থেকে ঐ বাবদ বিস্তর টাকা আদায় করা হয়। যে টাকা Union Board এ আদায় হয় তার মধ্যে শতকরা ৯০, টাকা চৌকিদারদের জন্য ব্যয় হয়। আর ঐ টাকা গরীব বাসেন্দাদের দিতে যে কি কষ্ট হয় তা যাদের এ বিষয়ে অভিজ্ঞতা আছে তারাই জানে। আমি জানি এই চৌকিদারদেব বেতন আদায় করবার জন্য অনেক বাসেন্দার থালা ঘটি ক্রোক করা হয়। এবং এর সুযোগ গ্রহণ কোরে অনেক জায়গায় গ্রামবাসীদের harass করার জন্য মোকদ্দমায় ফেলা হয়। সুতরাং এ একটা জুলুম বিশেষ। দেশের লোকের রাস্তা নাই, ঘাট নাই, ভালো খাল বিলের ব্যবস্থা নাই, শিক্ষা ও স্বাস্থ্যের জন্য কোন বন্দোবস্ত নাই, যদিও ঐসকলের সুবিধা হওয়ার জন্য লোকে ট্যাক্স দিতো সেটা বরং সহ্য হতো। কিন্তু যে খরচটা গভর্ণমেণ্টের করা কর্ত্তব্য সেইটা যদি জনসাধারণের উপর চাপিয়ে দেওয়া হয় তাহলে সেটা জুলুম বই আর কিছুই নয়। চৌকিদারেরা গ্রামের পাহারা ছাড়া অনেক কাজ গভর্ণমেণ্টের জন্য করে। গভর্ণর বাহাদুর যখন রেলে যাতায়াত করেন তখন চৌকিদারদের খাওয়া নাই, শোয়া নাই, তিনদিন পর্য্যন্ত রেল লাইনের থামের পাশে দাঁড়িয়ে থাকতে হয়। তাছাড়া জন্ম মৃত্যুর খবরও তাদেরই সরবরাহ কোরতে হয়। পাট কে কে বুনলো—বা নাবুনলো তার খবরের ভারও তাদেরই উপর। এইসব বাইরের কাজ আর থানার পুলিশের কাজ ক'রে তার আর মোটেই সময় থাকে না। কাজেই গভর্ণমেণ্ট যদি বলেন যে গ্রামের ভিতর রণপাহারার গ্রামের লোকেরাই তাদের মাইনে দেবে, সেকথা ঠিক হবে না। কেননা তারা গ্রামের কাজ করবার সময়ই পায় না ঐসমস্ত কাজ কোরে। কাজেই চৌকিদারদের বেতন, তাদের পোষাক এবং তেল সলিতার খরচের জন্য প্রাদেশিক রাজস্ব থেকে টাকা দেওয়া উচিত। এবং সমস্তই গ্রামের লোকেদের নিকট হইতে আদায় করা ন্যায়সঙ্গত নয়। এসম্বন্ধে শতকরা ৫০, টাকা প্রাদেশিক রাজস্ব হতে দেওয়ার প্রস্তাব আমি সমর্থন করি।

(At this stage the House was adjourned for 15 minutes

After Adjournment

Mr. AHMED HOSAIN: Sir, I expected that over this important question, the House will have a lively debate, but, Sir, unfortunately

as yet, we have found no such thing. The reason perhaps is that the veterans of this House, being most of them inhabitants of Municipalities and Corporations, are very little affected by this question and do not feel the pinch. This is a question of immense importance at least to the whole of rural Bengal. I can perhaps unhesitatingly say that the chaukidari tax is the most hateful tax to the villagers. The reason is that the people think, and not without justification, that they get very little benefit from this service. Government compel the villager to pay for the chaukidars; but they do not directly realise the tax themselves. They make the President Panchayats scapegoats. I personally know, Sir, that the lives of many President Panchayats have been made miserable for realising chaukidari tax and it is simply for this tax, I can safely assert, that the President Panchayats are disliked, nay even the whole system of Village Self-Government is disliked, by the villagers. Another reason for the hatred of the people towards this service is its inefficiency. The dual control, insufficient pay, want of education, etc., amongst the members of this service are responsible for this inefficiency. In the budget for the present year I find that some money has been provided for distribution of a pamphlet called "*chaukidari siksha*" amongst the members of the service. But I doubt very much that few will be able to read and derive any benefit from this pamphlet. I think, Sir, any Government should be ashamed of such a service. It needs early reorganisation and thorough overhauling. I myself was very lately Member of a Union Board where the number of chaukidars is 20 and the number of dafadars 2. I tried my level best to diminish the number of chaukidars and I went to one Sub-Inspector whose help was necessary to do it. The Sub-Inspector argued with me and said if I lessened the number of chaukidars there would be lots of dacoities and burglaries; after some time I convinced him that chaukidars do very little to stop burglaries and robbery. Then he put forward some argument, which I would like to put before the House. He said that there was a superstition amongst the dacoits that when they came out of their houses for committing dacoities, if they find the *pagree* of a chaukidar they became unnerved: that is their superstition, so there should be a greater number of chaukidars. This was a personal talk and a personal example and it may hold good perhaps in all cases. There are 5,000 union boards in Bengal and I think these union boards are amongst them responsible for swallowing at least Rs. 50,00,000 by taxing the villagers for the chaukidari service. But in return we get very little benefit. My suggestion with regard to this branch of Police service is that the number should be lessened. It should be made 5 or 6 in each union board and in order to increase the efficiency of the members of the service only Matriculates should be appointed. My further suggestion is that the name of the service should be changed. The name also is hateful to the villagers.

Respectable villagers do not like to enlist themselves to the service: and members of this service mostly hail from up-countries—they are chamars and muchis.

Mr. ABDULLA-AL MAHMOOD: On a point of order, Sir. My friend is going to speak on the general policy whether the chaukidars should be paid from the Provincial Revenues or from the union board and he should restrict his argument to that point only.

Mr. SPEAKER: It is not for me to interfere, because the general principle of the demand is also at issue. I think when Mr. Abdul Bari was speaking such a point was raised and it was decided that he might be allowed to speak on the general policy to a certain extent. I would however advise the honourable members to restrict themselves to the direct issue involved as far as possible. But if one does enter into the general principle I cannot shut him out

Mr. AHMED HOSAIN: The name of the chaukidars should be changed and in its place the name of "village constables" should be given, and only Matriculates should be appointed to the service. Their pay should be up to Rs. 40 or Rs. 50. I think five Matriculate constables can between them organise the defence of a whole union. They can bring to bear upon the service their intelligence, their education and their organizing power, whereas at present these chaukidars can do nothing in this direction. My suggestion therefore is that Government should at the earliest opportunity take up the reorganization of this branch of the service and neglect it no more, and pay the whole cost from the Provincial Revenues. The reason is that while Government provide police service in the Municipalities and Corporation free of cost which are in no need of help because rich people flock together in those places. But in the villages where only poor people live, they have to provide for their own police service. It is injustice on the part of Government to levy tax upon the villagers for policing the villages while they exempt the people of the towns for similar service. That is my argument and my appeal is that Government should bear the entire cost of policing the villages.

Sir, the main duty of the Government is to maintain law and order and I think in this department the expense of the Government is the greatest. It is like the expense on the military in the Central Government. The Provincial Government is spending lavishly on police just as the Central Government spend on the military force. But Government should not neglect the village police and they should meet the entire cost from out of the Provincial Revenues.

Mr. MANMATHA NATH ROY: In supporting Mr. Sanyal's cut motion I shall be very brief. My main object in taking part in this debate is to place before the House certain very relevant figures from

the Howrah district. I was just enquiring from the District Board certain figures relevant to this debate. I find that the total revenue of the union boards of the Howrah district, all taken together is Rs. 2,31,935 out of which the expenditure on chaukidars and dafadars and Secretaries amounts to Rs. 1,05,344. What does it show? The salary of the Secretaries should not exceed Rs. 10,000 in any case for all the union boards taken together. If out of a revenue of Rs. 2,31,935 a sum of Rs. 95,000 is spent for pay of chaukidars and dafadars, 42 per cent. of the total revenue is spent on them alone. Is it not preposterous that out of the total revenue of the union boards which were established for the rural uplift of Bengal, 42 per cent. should be spent in providing police for the villages?

When we come to the legitimate activities of the union boards we find that on roads only Rs. 23,000 is spent, that is to say, 10 per cent., on water-supply Rs. 21,000, 9 per cent on conservancy Rs. 10,000 i.e., 4 per cent., on schools Rs. 23,000, 10 per cent., and on dispensaries the splendid figure of Rs 13,000 i.e., 5 per cent. on public health and medicines which have a very just claim on the revenues of the union board. These are all appalling figures and the magnitude of the injustice in apportioning the revenue among different heads including dafadars and chaukidars cannot be appreciated without examining them. No long speeches are needed to secure support for Mr. Sanyal's motion. These figures alone are quite enough to convince one of the real merits of the motion I have felt on various occasions when considering questions regarding union boards that they are very seriously handicapped on account of the prevailing circumstances and we must all express our indebtedness to Mr Sanyal for bringing forward this motion. I appeal to the members opposite and to the Treasury Benches to look at this question on its real merits and not to be swayed away by any consideration that this cut motion has been moved by a Congress member.

Maulvi RAJIBUDDIN TARAFDAR: চৌকিদার ও দফাদারের বেতন Union Board Fund থেকে দিতে হবে না, Provincial Fund থেকে দিতে হবে—এই হচ্ছে আমাদের সমস্যার বিষয়। আমি Union Board Fund ও বুঝিনা, Provincial Fund ও বুঝিনা, আমি বুঝি যে উপকৃত হবে—চৌকিদার আর দফাদারের বেতন সেই দেবে। চৌকিদার এবং দফাদার, এদের দ্বারা Union Board এর area র ভিতরে যে গ্রামগুলি পড়ে তার লোকেরা যদি উপকৃত হয়, তাহলে Union Board এর fund থেকেই তাদের খরচ বহন করা কর্ত্তব্য। আর যদি গ্রামের অধিবাসীরা এই চৌকিদার ও দফাদারের দ্বারা উপকৃত না হয় তাহলে তারা ওদের খরচ দেবে কেন? আমার যতদূর অভিজ্ঞতা আছে,—গ্রামের অধিবাসী হিসাবে, আমি যতদূর জানি চৌকিদার এবং দফাদারদের দ্বারা গ্রামবাসীর বিশেষ কোন উপকার হয় না বরং অপকার হয় অনেক বেশী। এরা সাধারণতঃ আসে পশ্চিম দেশ থেকে; চামার মুচি শ্রেণীর মধ্য থেকে। এদের কাজের ভিতরে প্রধান কাজ হচ্ছে পাহারা দিয়ে গ্রামের শান্তি রক্ষা করা; চোরের গতিবিধি লক্ষ্য করা। কিন্তু এদের পাহারা দেবার যা প্রসেস, অর্থাৎ যেভাবে এরা গ্রামের ভিতর পাহারা দেয় তাতে

আমার মনে হয় চোর বদমায়েসদের এরা ধরে ত নাইই বরং তাহাদের চুরির সুযোগ প্রদান করে। চৌকিদারেরা রাত্রি বেলায় যখন গ্রামের এক প্রান্ত থেকে চিৎকার করিয়া রণপিণ্ডি দেয় তখন চোরেরা মনে করে, ওবেটা বহুদূরে আছে এই সুযোগে কিছু চুরি কোরে নিই। চৌকিদারেরা গভর্ণমেণ্টের সনন্দপ্রাপ্ত পাহারাদার, সুতরাং এদের গ্রামের ভিতরে চলা ফেরার অবাধ অধিকার আছে, অন্ধকার রাতে বা জ্যোৎস্না রাত্রে এদের কোন সময়ই চলাফেরার কোন বাধা নাই। সেই সুযোগে অনেক ক্ষেত্রে দেখা গেছে, এরা গোয়ালের মধ্যে ঢুকে গরুকে বিষ পর্য্যন্ত খাওয়াইয়াছে। গৃহস্থের লাউ কুমড়া চুরি করিয়াছে,—এইধরণের চৌকিদার সাধারণতঃ মুচি শ্রেণীর অশিক্ষিত ও নিচু জাত; আরও নানারকমের অপবাদ এদের সম্বন্ধে শোনা যায়। তবে চৌকিদারের কাজের মধ্যে একটা কাজ মাঝে মাঝে দেখি যে President এর বাড়ীতে—খড়ি চিড়ে দেয় ও দারোগা বাবুদের বাক্স বোঝা প্রভৃতি মাথায় করিয়া স্থানান্তরে লইয়া যায়; আর বাজার করে দেয়।

এখন কিন্তু খরচ দিতে হয় নিরীহ অধিবাসীগণকে, এই গৃহস্থের পরম উপকারী জীবগুলির কোন্ সময় থেকে সৃষ্টি হয়েছে সে সম্বন্ধে কিছু বলা দরকার। বহুদিন আগে যখন নাকি জমিদারী প্রথা সৃষ্টি হয় তখন এরা ছিল জমিদারের অধীন, এদের নাম ছিল পাইক ও বরকন্দাজ। এদের সমস্ত খরচ বহন কোরতো জমিদারেরা। আমাদের দুরাদৃষ্ট এবং অজ্ঞতার সুযোগ নিয়ে গভর্ণমেণ্ট এবং জমিদারেরা পরামর্শ কোরে এদের বর্ত্তমান নাম রেখেছেন চৌকিদার ও দফাদার এবং এদের খরচ চাপিয়েছেন গ্রামবাসীদের উপর। আর তার ফলে নিরীহ গ্রামবাসীদের উপর এই খরচ আদায়ের যে অত্যাচার হচ্ছে সেটা Certificate কোরে গভর্ণমেণ্টের খাজানা আদায়ের চেয়েও বেশী জুলুম হয়ে দাঁড়িয়েছে। গরীব লোকেরা খেতে পায় না, পোরতে পায় না, এইরকম অভাবের সময় বিনা নোটিশে চৌকিদারী tax আদায় কোরতে যেয়ে, তাদের লোটা, ঘটি, বাটি, এমন কি জালের বলদ পর্য্যন্তও বিক্রি করে। এই হলো চৌকিদার ও চৌকিদারী tax আদায়ের ব্যাপার। আগে জমিদারেরা যেমন পুকুর কোরে দিতেন, ডাক্তারখানা, স্কুল, রাস্তাঘাট কোরে দিতেন, তেমনি পাহারাদারের বন্দোবস্তও তাঁরাই কোরিতেন। আমাদের কি পাপ ছিল বা আমরা কি অন্যায় কোরেছিলাম যার ফলে আস্তে আস্তে গ্রামের সমুদয় খরচ আমাদের ঘাড়ে চাপান হয়েছে। ওদিকে জমিদারো সর্ব্বপ্রকার দায়িত্ব এড়াইয়া কলকাতায়, দার্জ্জিলিংএ, সিমলায় বাড়ী কোরে আমোদপ্রমোদে দিন কাটাইতেছেন। এই হলো চৌকিদারী ও দফাদার সৃষ্টির অপূর্ব্ব কাহিনী। এখন দায়িত্বপূর্ণ গভর্ণমেণ্ট প্রতিষ্ঠিত হয়েছে, এখনো যদি এই বর্ব্বরোচিত ব্যবস্থা যা নাকি এতদিন ধরে চলে এসেছে, আজও যদি তাই চোলতে থাকে, অর্থাৎ আমাদিগকে এই চৌকিদারের ব্যয় বহন কোরতে হয় তাহলে আমার মনে হয় যে এটা খোদার দেওয়া গরুর ছাড়া আর কিছুই নয়। এই চৌকিদারী ট্যাক্স Provincial Fund থেকে দেবার যে প্রস্তাব এর চেয়ে সঙ্গত কথা আর কিছুই নাই। কারণ Calcutta Police এর খরচ যদি Provincial Fund থেকেই দেওয়া হয়, Municipal Police এর বেতন যদি Provincial Fund থেকেই খরচ হয়ে থাকে, তবে গ্রামের লোকেরা কি অপরাধ কোরেছে যে গ্রামের চৌকিদারদের ও দফাদারদের খরচ তা থেকে দেওয়া হবে না! এর আগে যতসব বড় লোকেরা Council এ ছিলেন, তাঁরাই Government এর ও জমিদারদের সঙ্গে পরামর্শ কোরে এই সব আইন বিধিবদ্ধ কোরে অঘটন ঘটিয়ে গিয়েছেন। এখন আইন সভায় বিভিন্ন

স্থান থেকে কৃষকদের প্রতিনিধি এসেছে. এখনো যদি এই প্রথাই বর্ত্তমান থাকে তাহলে আমি মনে করবো আমাদের এখানে আসার কোন স্বার্থকতা নাই। আমাদের মাননীয় Chief Minister স্বয়ং যখন প্রজাদলের নেতা, এবং কেবিনেটে যাঁরা আছেন তাঁদের কেউ কেউ জমিদার হলেও তাঁদের বর্ত্তমানে যে মনোভাব দেখিতেছি তাঁরাও যখন পরীব কৃষকদের প্রতি সহানুভূতিশীল; এ অবস্থায় আমাদের মাননীয় Chief Mnister, the Hon'ble the Home Minister , এবং The Hon'ble the Finance Minister সকলে মিলে পরামর্শ করে এমন একটা আশার বাণী আমাদিগকে শুনাইবেন যাতে কৃষক প্রজারা তাঁহাদিগকে আশীর্ব্বাদ করিতে পারে। আমি আশা করি তাঁহারা কংগ্রেস দলের নেতাদের মত ভূয়া কথায় ভুলাইয়া রাখিবেন না। আমি জানি এই হাওসের মধ্যে অনেক মেম্বর আছেন, যাঁরা দলপতি হিসাবে শীর্ষ স্থানে বসিয়া থাকেন, বড় বড় বুলি আওড়াইয়া প্রজার দুঃখের কথা বলেন তাঁদেরই কোন কোন জমিদারীর এলাকার মধ্যে——

(Maulvi Rajibuddin Tarafdar asked for two minutes more to finish his speech as he reached his time-limit, but Mr. Speaker did not accede to his request.)

Mr. SPEAKER: You have said quite enough and I do not consider that any extension should be proper.

Mr. JOGESH CHANDRA GUPTA: I move that the question be now put.

Mr. SPEAKER: In view of the fact that Mr. Gupta has moved the closure motion, I will call upon Sir Nazimuddin to make his reply. After that I shall put the closure motion, if it is again repeated. If that motion is carried, I will put the cut motion. If it is not carried, then the debate will continue.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the idea that the chaukidars should be paid from the provincial revenues is one which naturally appeals to a very large section of the rural members of this House, but it is worth considering that, if after all the provincial revenues are burdened with the payment of the salaries of chaukidars and daffadars, then, in that case, to that extent the money that is now being spent on the development of rural areas and local bodies may have to be decreased (A VOICE: Why?) although it does not necessarily follow that they will necessarily be decreased; but at least the available surplus, after paying for the absolutely essential needs of the province will necessarily go down to that extent and the cost of administration will naturally increase. This is one of the questions which is worth the consideration of the members of this House, because there is only

a limited amount of money available to the provincial Government. If out of that amount either the whole of it or half of it goes for the payment of chaukidars and daffadars, then that means that Rs. 27 lakhs or Rs. 54 lakhs—either of these two sums will be lost to us and the expenditure which is now being incurred by Government will have to be reduced in some form or another to the corresponding extent. But, Sir, I have already stated in this House the policy of Government on this question in connection with the motion that was moved by Mr. Abdul Wahab Khan when he moved a cut motion in the "General Administration" grant. Opposition members, I believe, were absent on that occasion, but I expect that they must have read in the newspapers the Government's policy announced on that occasion. This is an extremely complicated question, and even to-day I notice difference of opinion expressed as to the utility of the existing chaukidari system. There are some members who are not prepared to accept that the chaukidars and daffadars do no work; there are again some who consider that the chaukidars and daffadars are absolutely worthless and are doing no work. Again, more than one member has stated that the whole system should be thoroughly overhauled and there was one member who suggested that instead of the existing type of chaukidars and daffadars a different type of persons should be recruited, with the qualification of a matriculate and should receive a pay of Rs. 40 a month—and that five such men would be sufficient to do the work of the existing 20, 25 or 15 chaukidars and daffadars. It is apparent that this system which was devised long ago requires thorough overhauling, and there are innumerable questions connected with this which require looking into.

I will for the benefit of the members of this House read out some of the points that require serious consideration and deliberation. At present the chaukidars are appointed by the District Magistrates after consulting the union boards. Some of the union boards maintain that as the chaukidars are paid by them, they should be the appointing authority. On the other hand, Government have always maintained that as the District Magistrate is responsible for the administration of the whole district and that as the chaukidars have a definite function with respect to law and order and have to work under the control of the District Magistrate to a very large extent, Government must have the deciding voice in their appointment. Then, as regards the question of punishment of chaukidars, the union boards have certain modified powers of punishment but the powers of dismissal and other more severe powers of fine rest with the District Magistrate. As they are union board servants, it is contended that the union boards should have the power to dismiss chaukidars and that they should have the power of fine, but on the other hand, this is a power which is now exercised by Government and they are not dismissed without consulting the union board presidents. Then there is the question of pay of

chaukidars, as to what should be the pay and how to have a better type of men to come forward and whether it is not possible to raise the standard of the service and thereby do with a lesser number of men, whether it is not possible to have whole-time men, as I think, the idea at present is that chaukidars are not whole-time servants but part-time servants. Then on the question of their duty and the number of men who are to be employed, there is a strong divergence of opinion on one side whereas, on the other side, the local authorities like the District Magistrate and the Superintendent of Police consider that the existing number cannot be reduced owing to the various duties the chaukidars perform. The presidents of union boards and many members of this House are of opinion that the number can be very easily reduced. There is one other thing which I would also point out, viz., that recently quite a number of extra work has been placed on chaukidars and dafadars owing to the establishment of Debt Settlement Boards and other rural reconstruction work—

Mr. JOGESH CHANDRA GUPTA: But who will pay the piper?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is not the only question and that is just what I want to impress upon the members of the House. The system requires overhauling, in this respect as to what type of service you are going to have. The mere fact of changing it is not to improve the system. The members of this House have admitted that the class of men from which chaukidars are drawn is absolutely unsuitable. If that is the opinion of the majority of the members of this House that they are drawn from the lowest strata of society, that they are illiterate and that are men who are not doing their work properly—are not these questions equally important? What is the good of merely changing over from one side to another? What is the good of apportioning the cost? After all you want to make a drastic change, and it is better to have the whole question examined. Let us see whether we can substitute another service by which with the same amount of money we can have a better type of men. That ultimately requires investigation. As to the question of apportionment of cost, as to whether it should come from the provincial revenue or from the union board fund, all these questions require examination. Government have, therefore, decided to appoint a Committee of this House who will go into all these questions. This Committee will be a Committee of both the Houses, consisting of six non-official members and three officials, altogether nine members. That is the present idea of Government as to how the Committee should be constituted. The Committee will examine the question and submit their report to Government and then Government will come to a decision—

Mr. JOGESH CHANDRA GUPTA: When will that Committee be appointed?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am sure, the Committee will be appointed immediately after the budget session is over——

Mr. M. SHAMSUDDIN AHMED: Did the Home Minister himself give his serious consideration to the whole matter before it came up to the Assembly to-day?

The Hon'ble Khwaja Sir NAZIMUDDIN: Certainly. It is a complicated problem that we have got to face, and it has induced Government to suggest that a Committee should be appointed. I should like to impress upon the honourable members that it is not a fact, merely because a cut motion has been moved, that this course has been adopted. The Inspector-General of Police in his annual report has also suggested that something should be done. This question had also been raised previously in this House by Mr. Abdul Wahab Khan by a cut motion. If the members on the other side of the House had been present on that day there would have been no necessity to move this cut motion to-day. Now, this Committee will, I hope, be able to give us facts and figures which will enable us to come to a decision on this point.

Mr. JOGESH CHANDRA GUPTA: I put that the question be now put.

The question that the motion be now put was then put and agreed to.

The motion of Mr. Sasanka Sekhar Sanyal that the demand of Rs. 2,07,89,000 under the head "29—Police" be reduced by Rs 100 being put, a division was taken with the following result:-

AYES.

Abdul Hafeez, Khan Bahadur Syed.
Abdul Hakim, Maulvi.
Abdul Majid, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Aftab Ali, Mr.
Ahmed Ali Mridha, Maulvi.
Azimuddin Ahmed, Mr.
Banerjee, Dr. Suresh Chandra.
Banerjee, Mr. Pramatha Nath.
Banerjee, Mr. Sibnath.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Bannerjee, Mr. Manoranjan.
Barman, Mr. Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Bose, Mr. Sarat Chandra.
Chakraborty, Babu Narendra Narayan
Chakraborty, Mr. Jatindra Nath.
Chattopadhyay, Mr. Haripada.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Mr. Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Narendra.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Fazlur Rahman, (Muktear), Mr.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Giasuddin Ahmed Choudhury, Mr.
Golam Sarwar Hossini, Mr. Shah Syed
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Choudhury, Mr. Syed
Himatsingka, Mr. Prabhodayni.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.

Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Mafizuddin Ahmed, Dr.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mazumdar, Mr. Birendra Nath.
Mal, Mr. Iswar Chandra.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mookerjee, Mr. Syamaprasad.
Muhammad Ibrahim, Maulvi.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Mustafa Ali Dewan, Maulvi.
Pain, Mr. Sarada Prasanna.
Pramanik, Mr. Tarinicharan.
Ramiuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Roy, Rai Bahadur Kshirod Chandra.
Sanaullah, Al-Haj Maulana Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Tamizuddin Khan, Maulvi.
Yousuf Mirza.
Yusuf Ali Choudhury, Mr.

NOES.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hamz, Mr. Mirza.
Abdul Hafiz Mia, Mr.
Abdul Hakeem, Mr.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Wahab Khan, Maulvi.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur.
Abul Hashim, Maulvi.
Abul Hosain, Mr. Ahmed.
Abul Quasem, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta of Muktagacha, Mymensingh.
Aftab Hosain Jeardar, Maulvi.
Ahmed Ali, Khan Sahib Maulana Enayetpuri
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur.
Aminullah, Maulvi.
Amir Ali, Md. Mia.
Anderson, Mr. J. P.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Bannerman, Mr. H. C.
Barat Ali, Mr. Md.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Biswas, Babu Lakshmi Narayan
Brasher, Mr. F. C.
Campbell, Sir George.
Crosfield, Mr. L. M.
Das, Mr. Anukul Chandra.
Das, Mr. Kirit Bhusan.
Das Mr. Monmohan.
Dass, Babu Debendra Nath.
Farhat Bano Khanam, Begum.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Ferguson, Mr. R. H.
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur Kt., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur.
Hasina Murshed, Mrs.
Hatemally Jamadar, Khan Sahib.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F.
Homan, Mr. F. T.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jalaluddin Ahmad, Khan Bahadur.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Sahib.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Choudhury, Maulvi.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Sirat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Miller, Mr. G.
Milne-Robertson, Mr. G. E. L.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Molleh, Maulvi.

Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra of Kasimbazar.
Nasarullah, Nawabzada K.
Nasher Ali, the Hon'ble Mr. Syed.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ray Choudhury, Mr. Birendra Kishore.
Razaur Rahman Khan, Mr.
Roy, Babu Patiram.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C. B. E.
Shamsuddin Ahmed Khandkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tofel Ahmed Choudhury, Maulvi Haji.
Waliur Rahman, Maulvi.
Walker, Mr. J. R.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 83 and Noes 129, the motion was lost.

Mr. SPEAKER: Mr. Hashemy, I find your motion is with a view to discussing "proceedings generally taken under section 110, Criminal Procedure Code." I understand that you are not moving 106 which is inadmissible but moving 114 in its place

Mr. SYED JALALUDDIN HASHEMY: Yes, Sir.

Mr. SPEAKER: I find that in your motion, the portion "proceedings generally taken under section 110, Criminal Procedure Code" is perfectly all right, but I would want to be satisfied how the latter part is relevant, namely, "the contemplated proceedings under the same section, in Ashashuni and Satkhira police-stations, Khulna".

Mr. JALALUDDIN HASHEMY: I belong to that constituency and I know it for myself that proceedings have been drawn up against certain persons.

Mr. SPEAKER: Well, I am afraid that the latter portion is out of order.

Mr. SYED JALALUDDIN HASHEMY: So I would leave it out

I beg to move that the sum of Rs. 2 lakhs and odd demanded by Khwaja Sir Nazimuddin for expenditure under head "29—Police" be reduced by Rs. 100 and to raise discussion about the proceedings generally taken under section 110, Criminal Procedure Code—this part, Sir, and no other part.

Mr. Speaker, Sir, I owe an apology to the members of this House for my inability to deal properly with the subject under discussion for the simple reason that I am not in a proper state of mind to discuss such a complicated matter. Sir, I came back to this Metropolis only this morning to receive only wild and abnormal telephonic messages from every quarter that I shall see new faces in the Treasury Benches this afternoon. Sir, with expectation and partly with hesitation I came to this House, but I was surprised to find the very same ministers are sitting in their respective seats. Sir, on account of the great excitement that prevailed in the morning I could not thoroughly prepare myself for my subject under discussion. However, Sir, I will try to deal with some part of it, and my lawyer friends here, particularly the Hon'ble the Chief Minister who happens to be absent now, and the Hon'ble the Commerce Minister, who were a few months ago the best criminal lawyers, will be able, of all persons, to bear me out as to how things happen. Sir, I will first read out, though most of the members are conversant with this section, section 110 of the Criminal Procedure Code. Still I will read some sub-sections of that particular section. It says—

"Whenever a Presidency Magistrate, a District Magistrate, or a Subdivisional Magistrate, or a Magistrate of the First Class specially empowered in this behalf by the Local Government, receives information that any person within the local limits of a police station.. .. . (*a*), (*b*), (*c*), I leave this aside with regard to sub-section (*d*), (*e*) and (*f*), I will deal with them as far as practicable. In sub-sections (*e*) and (*f*) it is stated—

"Whoever habitually commits or attempts to commit or abets the commission of offences involving a breach of the peace," or

(*f*) "is so desparate and dangerous as to render his being at large without security hazardous to the community."

Sir, in (*f*) also I like to point out two other things "habitually commits mischief" and "extortion." I want to ask the Hon'ble the Home Minister to mark the word "extortion". Particularly, Sir, if these sub-sections are analysed,— of course I will not analyse it to-day and I will not say a word about the findings of the various High Courts of India on the revisions made in these cases,—nor, shall I deal with the cases that ended in conviction. I will ask the Hon'ble the Home Minister to take note of some of the points which I am going to raise just now. The number of proceedings taken annually in Bengal and the number of Muslims and Hindus, amongst them, the number of cases that ended in conviction, the number of cases in which security was furnished, and the number of cases which have been revised by the Hon'ble the High Court. Sir, in sub-section (*f*) it is clearly stated—"is so desparate and dangerous as to render his being at large without security hazardous to the community", which is a very

dangerous sub-section in itself, Sir, a day will come very soon when some members of this House may be hauled up under this sub-section, I mean section 110 of the Criminal Procedure Code. Sir, some members—at least I know of one member of this House, who is still under a certain law which is called the Criminal Tribes Act, and his ban has not yet been removed. Sir, my experience about this matter in the villages is this. Sir, you had been a few years ago a public Prosecutor in a certain district and you had the honour to represent the Crown in many such cases In that particular district you know, Sir, very well that the Superintendent of Police generally by convention asks the Sub-Inspectors of Police of thanas to give at least five such cases monthly, and in obedience to the order of the Superintendent of Police, they have to concot and engineer evidence against persons who are not in the good book of the police, who refuse to coax and cajole and flatter the police and refuse to play the part of a broker, that is to say, those who refuse to help the police in realising bribe from parties if I am allowed to say so. Sir, I am fresh from village and I will request the Hon'ble the Home Minister to take note that several cases in my subdivision are going be started and one case will be dealt with only to-morrow in my village. Sir, I went there purposely to stand against the police, but my difficulty was that my elder brother stood in the way. My elder brother is in the habit of helping the police in season and out of season and I do not know why? Only for first class certificates of honour! or something like that! Sir, but in some cases I know that some eminent scholars of the Calcutta University having degrees and being in the service of the District Board are also hauled up by the police as dangerous and desperate to the society.

Dr. NALINAKSHA SANYAL: Quite right.

Mr. SYED JALALUDDIN HASHEMY: Sir, the reason is very simple. In the last general election those persons who unfortunately did not help the then Ministers in their election campaign are gradually going to be hauled up before the Court under this terrible section, and I am sorry to inform you, Sir, that I am one of the worst sufferers.

Sir, I find the Hon'ble Commerce Minister laughing. Let him laugh and laugh for the few days that he will be in the Ministerial chair. Let him beware that the day of reshuffling of the present Ministry is near at hand (Loud laughter from the Ministerial Benches) when he will have to change his colour and tone also. I appeal to him as a lawyer to ponder over this subject from the legal point of view, and keeping in view the opinions expressed by the Hon'ble High Courts of the different provinces of India. I also appeal to the honourable members of this House to deal with this question from the point of view of jurisprudence

Sir, this section, I am afraid, will be applied to persons who are against the present Cabinet, and for this reason I am tempted to discuss this matter on the floor of the House. My friend Mr. Narendra Nath Das Gupta has given notice of a motion similar to this—I am referring to motion No. 109 on the agenda paper. He also intends to deal with this subject with particular reference to the place which includes my constitutency. In this case, the only thing that happened was that some lower caste Hindus embraced Christianity——

Mr. SPEAKER: I am afraid, Mr. Hashemy, you cannot refer to that.

Mr. SYED JALALUDDIN HASHEMY: Sir, I am only mentioning the facts relating to Mr. Das Gupta's motion by way of reference——

Mr. SPEAKER: You should leave it to him to do that.

Mr. SYED JALALUDDIN HASHEMY: I am asking the Hon'ble Home Minister——

Mr. SPEAKER: Please confine yourself to your motion.

Mr. SYED JALALUDDIN HASHEMY: I will ask the Hon'ble Home Minister to reply to this, because it is a matter of particular importance.

Mr. SPEAKER: Please move your motion.

Mr. SYED JALALUDDIN HASHEMY: I have already moved my motion. I want that this section should be deleted from the Statute Book, because it is a very atrocious section, and I think that in these days of Provincial Autonomy this section should not find a place in the Statute Book. Up till now, Sir, we have dealt with political sections and other sections which restrain our liberties. Sections 107 and 108 are sometimes taken as political sections. Sections 109 and 110 are now used against persons who have a leading towards "progress" and who are opposed to the present Cabinet.

Sir, the object of demanding security for good behaviour is obvious. The object, as has been stated by one of the High Court Judges, is the prevention of crimes and not punishment of offences. But, Sir, I can tell you from my personal experience that the police invariably obstruct persons bound down under section 110 from furnishing security. If security is offered by any person bound down under this section, the police report to the District Magistrate or to the Subdivisional Officer that the security in question is not proper and adequate, and

on their report applications for bail are rejected. The inevitable result is that the poor persons have to go to jail and rot there for 12 months or 36 months, *i.e.*, three years.

Mr. SPEAKER: Mr. Hashemy, it seems rather a sudden jump from 12 months to 36 months?

Mr. SYED JALALUDDIN HASHEMY: That is because, Sir, the period for which a person can be bound down under that section varies from one year to three years.

As I was saying, Sir, this section results not in prevention of crime but in manufacturing of crime within the four corners of jail. There are two classes of prisoners—class A and class B. Class A prisoners, as every lawyer knows, are those who commit murder, rape and such other heinous crimes, while thieves and cheats are classified as B class prisoners. These persons are never given an opportunity of reforming themselves, for they are kept in the Presidency Jail of Calcutta where crimes are manufactured as is well known to every one.

Mr. SPEAKER: You are attributing so many things to your personal experience, as also of mine, that I am afraid I shall have to dissociate myself with many of them.

Mr. SYED JALALUDDIN HASHEMY: If the Hon'ble Home Minister contradicts me, I will not proceed further.

Sir, in the Presidency Jail, doctors help criminals in making pouches in their mouths for keeping guineas, and I know of a case in which 27 guineas were kept by a prisoner in such a pouch in his mouth. There are two classes of pouches—one *kutcha* pouch and the other *pucca* pouch.

Mr. SPEAKER: Has it anything to do with proceedings under section 110? I hope you will confine yourself to your motion.

Mr. SYED JALALUDDIN HASHEMY: As regards the power conferred by Government on District Magistrates and Subdivisional Magistrates, I might say that the "power" under section 110 has been defined by a Judge of the High Court as a preventive power and not a punitive power. I hope, Sir, the Hon'ble Home Minister for courtesy's sake will agree with me that the conduct of the police, so far as this section is concerned, cannot be said to be preventive—it is nothing but punitive. If you look at the number of cases in which security is furnished and cases which end in conviction, you will find that the intention of the police is punitive and not preventive.

Mr. SPEAKER: Your time is up, Mr. Hashemy.

Mr. SYED JALALUDDIN HASHEMY: May I have one or two minutes more, Sir, because I initiated the debate?

Mr. SPEAKER: I am sorry. I cannot allow you any more time, as there are other members who want to speak on this demand.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I must confess that I have not been able to follow the hon'ble member as to what he was driving at. I also noticed a perplexed look on the faces of some of the members sitting opposite, and I think they too had the same difficulty as I had in following Mr. Hashemy. (Cries of "No, no" from Congress Branches.)

Sir, it appears to me that the main object of this motion is to suggest that there is abuse of section 110 by the police. Well, Sir, so far as I know—and I had talks with many Superintendents of Police, Deputy Superintendents of Police and Subdivisional Police officers—I can say that generally speaking it is due to successful prosecution of people under section 110 that they have been able to reduce the number of dacoities in their respective areas considerably. That is, Sir, the general impression that I have formed in the course of conversation with police officers. Further, in areas where the dacoity figures have gone down, you will find that it is largely due to the institution of cases under section 110.

I have not the time now to examine carefully the figures, but I have got here with me some figures which will show that the number of cases ending in conviction is fairly large.

Mr. M. SHAMSUDDIN AHMED: Is the Hon'ble Minister aware——

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, is this interruption allowed?

Mr. SPEAKER: You need not give way.

Mr. M. SHAMSUDDIN AHMED: Sir, is the Hon'ble Home Minister aware that owing to prosecutions under section 110 nowadays people in the villages cannot even have *lathi* plays which they used to have before?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think there is anyone here who will substantiate this charge. The fact is that the measures are preventive and not punitive. I do not think the

hon'ble member has given any fact or figure to support his contention except saying something against his brother which I could not follow and which of course is rather extraordinary.

Another assumption that can be made is that those who oppose the ministerial candidates somehow or other come under the bad-livelihood case. It may be, as the honourable member has suggested, that there is the question of victimisation, but the people have got the right of appeal and as regards that area, specially where the honourable member contested, there can be no truth whatsoever in such an allegation; the question was rather just the reverse—the people complained of undue influence exercised by the honourable proposer. I do not think it is fair to fake these aspersions without sufficient cause, and I do not think there is any ground for amending section 110.

The motion was then put and lost.

Maulvi ABUL HASHIM: I beg to move that the demand under the head "Police" be reduced by Rs. 32,90,000 on the ground of economy.

This demand of Rs. 32,90,000 is for the maintenance of the Calcutta Police. By this motion we demand that the people of Calcutta be taxed for the Calcutta Police and that this expenditure should not be paid from the General Revenues.

Sir, the other day my esteemed friend Mr. Siddiqi referred to the cheap clap-trap phrases imported from Moscow. I do not myself subscribe in its entirety to the theory of present Russia, but Sir, we cannot get out of the fact that we are now living in an age of mass mentality. We must do something very substantial for the masses. Ever since the first civilised man was born, the world has been doing great and grave injustice to our favourite "average man". The day of reckoning has come and the judgment will be delivered. The classes must now get ready to mount the gallows to atone for their accumulated sins of inhuman oppression and cruel exploitation. Writing on the wall is there and if the classes have the vision to read it, then I suggest that the classes in their own interest and in the interest of humanity should come down from their high pedestal and do something for the poorer people. Sir, we call ourselves friends of the tenants, our Congress friends over there call themselves friends of the tenants, even our European masters say that they are ruling India for the benefit of the cultivators and the poor masses! But I wonder why in spite of having so many friends here the poor cultivators are in the same plight as they were centuries ago. In these days of increasingly growing mass consciousness every shrewd and ambitious man calls himself a friend of the poor cultivators. If we really want to do anything substantial for the poor people of Bengal.

time for that has now come and we will have to increase our revenue as we want huge sums of money for that. If we want to be satisfied by merely preparing an administrative budget, then the question is different. But if we really desire to do anything substantial, we must increase our revenue.

One of the arguments for taxing Calcutta for Calcutta Police is and was that the village people are made to pay for the village police: so Calcutta must pay for her own police. This gives a moral support to the proposal; but I do not make this demand on that basis. I want that Calcutta should be taxed because we find that we must increase revenue and this is a very legitimate source to increase our revenue. So irrespective of the question whether village police is paid from the Provincial Revenues or not, Calcutta must be taxed and made to pay for her own police. This question, I may say, is a hardy annual and has been agitated for years and I believe Government have come to a decision. I, therefore, expect from the Hon'ble the Home Minister a definite reply without "if" or "but", "consideration", "Committee" or "scheme". I do not think it becomes this Government to say any longer that they will have to make further examination of the question when this matter has been agitated for so many years in the legislatures of Bengal.

I find, Sir, that perhaps this task of putting this motion before the House has fallen on me by inheritance. My father late revered Maulvi Abul Kasem of Burdwan had been agitating over this question for a considerably long time during his life-time. I hope the Hon'ble the Home Minister will make a definite statement in regard to this question.

A few minutes ago a question was raised with regard to the payment of the cost of chaukidars from the General Revenues. I not only demand that the cost of village police should be met from the General Revenue but also that Calcutta should pay for her own police and it must not be paid from the General Revenues. I therefore expect that the Government will take the earliest opportunity to bring a Finance Bill for realising Calcutta Police cost from Calcutta. The Hon'ble Finance Minister has accepted the theory that if we want to do anything, we must have money. He has also agreed that in any scheme of taxation he and his colleagues will be guided by the fact that the burden of taxation should be borne by those who can bear the burden most. I believe——

The Hon'ble Mr. H. S. SUHRAWARDY: There are many poor men in Calcutta.

Maulvi ABUL HASHIM: The Hon'ble Mr. Suhrawardy says that there are poor men in Calcutta, but the poor men in Calcutta are in

Calcutta not for doing any service to rural Bengal but they are there for serving the rich citizens of Calcutta as their slaves. If the Labour Minister is very much anxious for the poor men of Calcutta, he must do something to compel their rich employers to raise their standard of living and increase their comfort. One of my friends said that the Calcutta Police must be well paid, well dressed and lots of money must be spent on them, because in Calcutta the rich men live in houses with marble and mosaic floors and if the Police go with dirty shoes on, they may spoil those valuable marbles. I quite appreciate that, but I would like to say that Government should take steps to see that the cost is borne by the people who live in houses with marble and mosaic floors. As I have said, I am strongly of opinion that Calcutta should be taxed for its own police. Although I voted in a previous division with the Government, I should like to make it clear that that does not indicate that I am against paying chaukidars from general revenues. I do not know what will be your opinion in this matter but I am anxious to hear your opinion. In my humble opinion I think that it is not inconsistent to express one's views in strong terms against Government and at the same time to vote either for the Government or refrain from voting. The other day we noticed that as a consequence of Mr. Anthony Eden's resignation there was a definite and specific motion from the Labour party of no confidence against the Ministry and Messrs. Lloyd George and Anthony Eden condemned Mr. Neville Chamberlain, the Premier in the strongest terms but they refrained from voting against the Government when the motion of no confidence was pressed to division and I find——

Mr. SPEAKER: That has nothing to do with the Calcutta Police.

Maulvi ABUL HASHIM: I just wanted to show that my vote on the chaukidari proposal——

Mr. JOGESH CHANDRA GUPTA: Apart from the objection against the hon'ble member taking advantage of an economic cut motion to explain his voting in a previous division a question arises whether a member, who is not going to put the matter to vote, ought to take up the time of the House when the opposition is anxious to contribute useful discussion and to call useful divisions. That is the point. If the hon'ble member has made up his mind not to press the matter to division, I hope he will not take up the time of the House and deprive the real oppositionists from carrying on useful debates.

Maulvi ABUL HASHIM: My intention was far from wasting the time of the House, but when I said every shrewd and ambitious man for using the poor masses as their ambitious ladder calls himself a

friend of the cultivator, one of my hon'ble Congress friends questioned my sincerity on the ground of my not voting against the Government on the choukidari question. Just to explain that I was not inconsistent in voting with the Government while holding that the chowkidars should be paid from the general revenue I am obliged to indulge in these remarks. If Mr. Lloyd George——

Mr. SPEAKER: Will you confine yourself to the matter under discussion?

Maulvi ABUL HASHIM: I do not want to say anything more.

Mr. SANTOSH KUMAR BASU: I do not desire to take up the time of the House at any great length over this matter nor have I any desire to oppose the cut motion which suggests that economy to the extent of Rs. 32,90,000 should be effected in the Police budget. That appears to be alluring enough so far as this side of the House is concerned, but my hon'ble friend has made certain statements which cannot be allowed to go unchallenged. My friend says that the burden of policing Calcutta should be thrown upon the citizens and ratepayers of the city. I demur very strongly to the attitude which my hon'ble friend has taken up. He has completely ignored history so far as the proposed taxation is concerned when he made this statement before the House. If he had looked up ancient history in this matter, he would have seen that it was by arrangement with the Government of India that the police charge of Calcutta was taken over by the Government of Bengal and in lieu of the fact that this charge was taken over by the Government of Bengal, the Calcutta Corporation had to surrender its right to levy taxes upon petroleum which they are entitled to do even to-day under the Calcutta Municipal Act. In lieu of the surrender of the petroleum tax there is an arrangement that the policing in the Calcutta Municipal area should be done by the Government of Bengal and it is on that sound and effective foundation that the claim of this city in this matter rests to-day, I hope and trust that my friend will not forget the history with regard to this matter and will not allow the Government of India or the Government of Bengal to go back upon or resile from the position they have taken up and the stipulation they have entered into with eyes open in this matter.

It is all very well to suggest that so far as these taxes are concerned, they might be heaped one after another upon the devoted heads of the citizens of Calcutta. I may remind you that only a few years ago it was decided that the citizens of Calcutta should bear a large

part of the cost of constructing the Howrah Bridge, although the Howrah Bridge is abolutely an all-India project, the benefit of which will be derived by the people of the whole of India and not certainly by the house-owners of Calcutta alone. People of Calcutta have very few occasions to go over to the other side of the Howrah Bridge except when they take an all-India tour or something of a tour covering the district of Howrah or places like that, but even then the cost of the Howrah Bridge has been thrown to a very large extent on the people of Calcutta and house property is being taxed to-day to the extent of half anna to the rupee because of this Howrah Bridge construction. Railways have been made immune to a very large extent as well as other interested bodies but so far as properties in Calcutta are concerned they have been taxed clearly for the purpose of financing this project. Whenever one in Calcutta looks into the rate Bills which come from the Corporation with two broad lines drawn across the Bill one feels as it the cantilever of the Howrah Bridge is sitting tight over the breast of the citizens of Calcutta. Instead of raising it from the whole of India it was decided that Calcutta should pay substantially and heavily for financing the Howrah Bridge project. The same plea has been raised by my friends from the mufassil. I do not grudge them because they are in a large majority, but they will please remember that they may have the legal competence to ride roughshod over the claims of Calcutta but most certainly they have not got the moral competence. I might remind my friend that in the year 1922 a Government Committee was appointed presided over by Mr. Bompas to go into the whole question and they considered that having regard to the very large commitments of the Calcutta Corporation and the very narrow margin they have got under the Calcutta Municipal Act for taxing the house property in Calcutta, it would be dangerous to saddle the city of Calcutta with the charges for financing the Calcutta Police. You might also remember that in the year 1888 when a portion of the province, namely, the parts adjoining Calcutta came within the limits of the Calcutta Corporation, that was one of the considerations which moved the Government of India to take over the charges of policing Calcutta, because the Corporation was saddled with the burden of developing undeveloped parts of Bengal near the city.

It is against this background that this question has got to be looked into. My hon'ble friend says that the Hon'ble the Home Minister has gone into the matter and will probably make a statement. I hope, however, that he will not make a statement in utter disregard of this historical background, and I do hope that the Hon'ble Minister will take this into his consideration, that Calcutta takes its stand on the ground of equity, on the ground of justice, and on the sacredness of the contract entered into by the Government of India and the Government of Bengal with the Corporation of Calcutta with regard to the policing of this city.

Mr. SPEAKER: Before I adjourn the House, I would just say that Volume LII—No. II of the proceedings of this House is ready. Members will, therefore, kindly take them with them when they leave the Chamber to-day. I now adjourn the House till 4 p.m. to-morrow.

Adjournment.

The House was then adjourned till 4 p.m. on Tuesday, the 15th March, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 15th March, 1938, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, eleven Hon'ble Ministers and 223 Members.

STARRED QUESTIONS

(to which oral answers were given)

Grants-in-aid to the middle English schools in Chittagong.

*216. **Maulvi JONAB ALI MAJUMDAR:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) the number of middle English schools arising out of the defunct circle schools in the Chittagong Division;

(*b*) the names of those schools and the amount of monthly grants-in-aid paid to each of them;

(*c*) whether the Government are considering the desirability of increasing the amount of grants-in-aid at least to the selected middle English schools for their proper maintenance?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) 8.

(*b*) (1) Bijoypur Middle Veranacular School, district Tippera—Rs. 22-8.

(2) Rampur Middle English School, district Tippera—Rs. 18.

(3) Barair Middle English School, district Tippera—Rs. 22-8.

(4) Senbag Middle English School, district Noakhali—Rs. 22-8.

(5) Karaiya Middle English School, district Noakhali—Rs. 22-8.

(6) Nyamasti Middle English School, district Noakhali—Rs. 22-8.

(7) Charababil Middle English School, district Noakhali—Rs. 18.

(8) Putibila Middle English School, district Chittagong—Rs. 22-8.

(*c*) Government will be prepared to consider any applications made by these schools for increased grants-in-aid to them according to their merits.

Shed for the women executants at the Gaibandha Sub-Registry office.

*217. **Maulvi ABU HOSSAIN SARKAR:** (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state whether it is a fact that women executants of documents who come to the Gaibandha Registration office from mufassal are to wait outside in bullock carts?

(*b*) If the answer to (*a*) is in the affirmative, what is the number of such women who attended the said Registration office during the last three years?

(*c*) Are the Government considering it desirable to construct a shed for them?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) An account of their number is not kept, and the information cannot therefore be supplied.

(*c*) Yes. Steps are being taken to provide a female waiting room at the Gaibandha Sub-Registry office.

Assistant Head Masters recommended for the posts of Head Masters during the years 1930-37.

*218. **Mr. BIRENDRA KISHORE RAY CHAUDHURY:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) year by year, how many assistant head masters in the scale of Rs. 150—10—250 were recommended by Divisional Inspectors and Principals of Colleges for promotion to the posts of head masters during the period 1930-37;

(*b*) the qualification of each one of them; and

(*c*) the communities to which they belong?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government regret that they cannot furnish the information as it is treated as strictly confidential.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state why the matter is treated as strictly confidential?

The Hon'ble Mr. A. K. FAZLUL HUQ: The only answer I can give is that it has always been treated as strictly confidential, and unless the rules are changed I am afraid I cannot furnish an answer.

Mr. DHIRENDRA NATH DATTA: Is it not a fact that the information is treated as confidential simply because the information, if communicated, will show that the departmental rules were not properly adhered to?

The Hon'ble Mr. A. K. FAZLUL HUQ: Not necessarily.

Imposition of education cess in Tippera.

***219. Mr. DHIRENDRA NATH DATTA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the education cess is going to be imposed in the district of Tippera?

(*b*) If the answer to clause (*a*) is in the affirmative, what will be the amount of cess?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of primary schools that are proposed to be started; and

(*ii*) the existing number of primary schools aided and unaided?

(*d*) Are the Government contemplating making primary education compulsory?

(*e*) If the answer to clause (*d*) is in the negative, what are the reasons for not doing it?

(*f*) Is it a fact that the schools are proposed to be started in those villages where the people volunteer to make free gift of the land and to erect the school building at their own expense?

(*g*) If the answer to clause (*f*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps are being taken for those areas which are inhabited by the poor people and the people of the backward communities?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The estimate of education cess as calculated in 1929, is Rs. 4,60,000. Later estimate is not available at present.

(*c*) (*i*) Approximately 1,500 three-teacher primary schools on the basis of one such school for an average population of 2,000.

(*ii*) 4,277, of which 265 are under public management; 3,199 are aided and 813 unaided.

(*d*) and (*e*) In terms of section 56 of the Bengal (Rural) Primary Education Act, 1930, primary education shall be made compulsory in a particular area only when Government after consulting the District School Board concerned have been satisfied that there is adequate

provision for primary education in that area. When the School Board has been established in the district and the scheme of free primary education inaugurated consequent on the imposition of the cess, the question of enforcing compulsion in any particular area will be considered.

(*f*) and (*g*) The proceeds from the education cess and the grants from provincial revenues will barely meet the recurring expenditure of the reorganised schools and will not allow any considerable expenditure on construction of school buildings. It is proposed to utilise existing school houses as far as possible, or to encourage people to provide school houses. Where neither of these facilities exist the School Board will construct school houses out of their own funds, and there may for that reason be some slight delay in carrying out the full reorganisatoin scheme. From whatever source the money comes the intention of Government is to put schools where they are most needed.

Mr. DHIRENDRA NATH DATTA: With reference to answers (*d*) and (*e*), will the Hon'ble Minister be pleased to state what provisions he considers to be adequate?

The Hon'ble Mr. A. K. FAZLUL HUQ: By adequate provision I mean that the number as also the location of the schools—all will be taken into consideration.

Dr. H. C. MUKERJI: With reference to answer (*c*) (*ii*), of the 4,277 schools how many are three-teacher, how many two-teacher and how many one-teacher schools?

The Hon'ble Mr. A. K. FAZLUL HUQ: It means going into so much details that I am afraid I cannot answer the question without further notice.

Imposition of primary education cess in Chittagong.

***220. Maulana Md. MANIRUZZAMAN ISLAMABADI:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware of public feelings of resentment in the district of Chittagong against the imposition of the proposed education cess?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) what is the amount of the education cess to be levied in the district of Chittagong; and

(*ii*) what amount is being spent at present by the Chittagong School Board per annum for the purpose of primary education?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) I cannot accept as correct the suggestion contained in the question. Many of the M.L.A.'s have urged upon Government the desirability of introducing primary education in Chittagong even by imposition of the cess. I have also received written representations from various quarters in the district asking for the introduction of primary education under the Act.

(*b*) (*i*) The estimate of education cess as calculated in 1929, was Rs. 3,64,000. No later estimate is available at present.

(*ii*) Rs. 1,69,372 per annum, consisting of Government grant of Rs. 1,22,860 and District Board's contribution of Rs. 46,512.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether the M.L.A.'s who have urged upon Government the desirability of introducing primary education in Chittagong by the imposition of a cess represent the district of Chittagong or not?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, they represent the district of Chittagong.

Teaching of Urdu in educational institutions.

*221. **Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether he is aware of the fact that the University of Calcutta has introduced Urdu as a second language for the students whose vernacular is Bengali, since 1920 for the Matriculation, I.A., B.A., and M.A. examinations?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, the Government have taken for teaching the said language in the new scheme high madrasahs, high English schools and colleges of Bengal?

(*c*) Is it a fact that no arrangement has been made even in the Islamia College, Calcutta, for teaching Urdu as a second language?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, the Government are taking for teaching the said language in the institutions mentioned in (*b*)? If so, when?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) In the Matriculation examination students whose vernacular is Bengali are permitted to take up Urdu as a second language.

(*ii*) In the I.A. examination, only female candidates are permitted to take up Urdu as a second language.

(*iii*) Urdu is not separately prescribed as one of the subjects for the M.A. examination but it may be taken as a principal or subsidiary subject by a student who appears at the M.A. examination in Indian vernacular.

(*b*) So far as high madrasahs are concerned the question does not arise as Urdu is taught in these institutions only as a vernacular and not as a second language. Moslem boys taking Urdu as a second language in high schools and arts colleges are few in number and provision is made only where there is a demand.

(*c*) Yes, as only one student in the third year class of that college has so far taken up Urdu as a second language and he is assisted by the teacher who is entrusted with the teaching of Urdu as vernacular.

(*d*) This is covered by the replies to clauses (*b*) and (*c*) above.

Dr. NALINAKSHA SANYAL: Is it not a fact that the Muhammadans of Bengal do not like to study Urdu, as evidenced from the number of students in the Islamia College?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is very difficult to give an answer. In urban areas there is a demand for Urdu, especially in Calcutta, Dacca and Murshidabad. But it is difficult to answer generally to the question that has been put.

Introduction of the Bengal (Rural) Primary Education Act, 1930, in Rajshahi.

***222. Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) what steps, if any, have been taken by the present Government for bringing the provisions of the Bengal (Rural) Primary Education Act, 1930, into operation; and

(*ii*) whether the Government propose to introduce the provisions of the Act in the Rajshahi district?

(*b*) If the answer to (*a*) (*ii*) is in the negative, what is the reason for the delay?

(*c*) Is the Hon'ble Minister aware of the general public opinion for immediate operation of the Act, throughout the whole Province?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) Steps are being taken by Government to impose the primary education cess and tax in certain districts with effect from the next financial year with a view to introduce the scheme of free and compulsory primary education contemplated under the Bengal (Rural) Primary Education Act, 1930, in those districts. Steps will also be taken, as soon as practicable.

for the establishment of District School Boards in those districts where they do not exist at present, as a preliminary to the introduction of free primary education throughout the Province. I may add that the practice has been heretofore to wait until a District Board agrees to the establishment of a District School Board and undertakes to make over to the School Board, pending the imposition of cess, the funds spent by the District Board on primary education. Rajshahi District Board has not so agreed up to now.

(*c*) Yes. Public feeling has hitherto been uncertain, but I am now convinced that there is a very general desire for wholesale extension of the Act.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state in how many districts School Boards have been established, and how long it will take to establish School Boards all over Bengal?

The Hon'ble Mr. A. K. FAZLUL HUQ: In April I found 12 District School Boards established. Since then steps have been taken to establish three more District School Boards, and I think at the end of the financial year, we will have about 18, if not 20, but it is difficult to give an exact estimate.

Mr. KHAGENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state, with reference to answer (*a*), the names of the districts where the primary education cess and tax will be imposed with effect from the next financial year?

The Hon'ble Mr. A. K. FAZLUL HUQ: I would rather ask for notice, because at the present moment I have not got the facts. If the hon'ble member desires to know, I will let him know later.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what steps do the Government propose to take where the District Board does not agree to set up School Boards?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, the matter is very delicate. So far as I am concerned, I do not wish to force the cess where I find that there is not a general demand. And one of the tests is that the District Board will come forward and consent to the establishment of a School Board. But where the District Board does not come forward I do not wish to press the imposition of the cess.

Grant-in-aid to the Chakaria High English School, Cox's Bazar.

***223. Khan Bahadur Maulvi JALALUDDIN AHMAD:** Will the Hon'ble Minister in charge of the Education Department be pleased to state whether he is aware—

(*a*) of only one high English school at Chakaria in the entire rural area of the Cox's Bazar subdivision;

(*b*) it has been denied any recurring grant;

(*c*) of its satisfactory result in the Matriculation examination of the last few years; and

(*d*) of the recommendation of the District Magistrate for the continuance of the grant?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) Yes, because no fund is just now available.

(*c*) The results can hardly be said to be satisfactory as the school could pass only 13 students out of 34 taught in class X during the last three years.

(*d*) The District Magistrate did not recommend the continuance of the grant but suggested that a small lump grant might be considered at the end of the year if this year's work showed improvement.

Dr. H. C. MUKHERJI: With reference to answer (*c*), is the Hon'ble Minister aware that many of the students who sit for the Matriculation Examination are drawn from the backward classes which explains the low percentage of passes, and that in some other districts some kind of recognition is given to people coming from these classes?

The Hon'ble Mr. A. K. FAZLUL HUQ: Low percentage is low percentage whatever the reason may be. Possibly it may be that the reason for the low percentage is what has been suggested by the hon'ble member.

***224. Khan Bahadur Maulvi JALALUDDIN AHMAD:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that the Inspector of Schools, Chittagong Division, has refused the annual grant to the Chakaria High English School in the Cox's Bazar subdivision;

(*ii*) that the said school is the only rural school in the said subdivision; and

(*iii*) that plea on which the grant has been refused is that of short allotment by Government?

(*b*) Is it a fact that the said Inspector told the deputationists of the Chakaria High English School and of another middle English school of the Cox's Bazar subdivision to approach the member of the Assembly of the subdivision for increased allotment?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) why the Inspector of the Division has confined his allotment to a particular area to the total exclusion of other areas with deserving schools; and

(*ii*) whether he is required under the rules to make equitable distribution over the areas under his charge?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) It is true that the grant has been refused, but this was because there were no available funds.

(*ii*) and (*iii*) Yes.

(*b*) I have no information, but I will make enquiries.

(*c*) (*i*) The present distribution of the allotment for grants-in-aid to secondary schools in the Chittagong Division was fixed long ago according to the requirements and merits of the particular schools which have since then been enjoying their grants. Other areas where deserving schools might have subsequently sprung up will be included in the grant-in-aid system when more funds become available.

(*ii*) Yes, but no school already enjoying a grant should be deprived of the same so long as its continued existence is justified.

Text-books for primary schools.

*225. **Maulvi MANIRUDDIN AKHAND:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware of Education Department notification No. 6 T.B., dated the 29th August, 1936, issued by the Director of Public Instruction, Bengal, prescribing the numerous text-books for use in all classes of primary schools in the Presidency of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a copy of the same together with the list of the approved text-books?

(*c*) Is the Hon'ble Minister aware of a feeling that exists in Bengal for the reintroduction of the system of universal primary education in Bengal through the medium of universal text-books?

(*d*) If so, will the Hon'ble Minister be pleased to state what action, if any, the Government are taking for the same by minimising the number of text-books by introducing only one and the same book for a class throughout the whole of the Presidency of Bengal?

(*e*) Is the Hon'ble Minister aware from reports that the frequent change of text-books is standing in the way of progress of education by compelling the poor students of ordinary merit to give up their studies?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, the Government are taking in the matter? If so, when?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) A copy is laid on the Library table.

(*c*) to (*f*) The existence of such a feeling has not been brought to my notice, but I recognise that it may exist and the matter will be duly considered by Government.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in the list laid on the Library Table there are a very large number of books under each subject which do not make for any uniformity in the standard? Is it a fact that this large number of books make for some amount of scramble?

The Hon'ble Mr. A. K. FAZLUL HUQ: The suggestion contained in the question is correct, and it is difficult for me to answer the latter portion; possibly it may be so.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that there are a large number of books with names of authors not *bona fide*, that is to say, the authors' names are not of those persons who have actually written the books?

The Hon'ble Mr. A. K. FAZLUL HUQ: That I cannot say.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state with respect to answers (*c*) to (*f*) when the Government desire to take steps to revise the rules regarding the selection of text-books?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already asked the Director of Public Instruction to put up the rules and to make suggestions. I have not yet been able to take up the matter, but I will do so as soon as the opportunity occurs.

Mr. CHARU CHANDRA ROY: I submit, Sir, that the answer to question (*e*) is not given regarding the change of text-books. Will the Hon'ble Minister be pleased to answer question (*e*)? The middle class boys of ordinary merit are compelled to give up their studies owing to frequent change of text-books.

The Hon'ble Mr. A. K. FAZLUL HUQ: I think it is included.

Mr. SPEAKER: I think you are making a mistake. The answer does not say as to whether that is a fact. The answer is there.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether frequent changes of text-books in primary or other schools hamper the education of the poor and middle class pupils?

Mr. SPEAKER: That is a question of opinion.

Extra copyists of the office of the Registrar of Assurances, Calcutta.

50. RAI HARENDRANATH CHAUDHURY: With reference to the answer given to unstarred question No. 8 of the 21st August last, will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state—

(*a*) the result of the consideration of the question of remuneration of the extra copyists of the office of the Registrar of Assurances, Calcutta, by the Inspector-General of Registration; and

(*b*) whether it is a fact that the volume of extra work requires the services of a number of extra copyists, year after year?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Employment of extra copyists has been restricted in such manner as to increase the average remuneration earned by those employed.

(*b*) Yes.

GOVERNMENT BUSINESS

DEMAND FOR GRANT.

29—Police.

Mr. SPEAKER: We will now resume discussion on motion No. 107 of Maulvi Abul Hashim.

Mr. ABDULLA-AL MAHMOOD: Mr. Speaker, Sir, I rise to support the motion so ably moved by hon'ble friend Mr. Abul Hashim.

Much discussion has been made on the floor of this House on this cut motion and that argument has been advanced by my hon'ble friend, Mr. Basu, over there that the Calcutta people are not responsible for paying the amount on the same is not sound. I will not be wrong if I say that majority of the members of this House who represent rural areas will agree with me that the people who are benefited by this police force are wholly responsible and bound to pay the cost. It has been said on the floor of this House that the cost of the chaukidars should be met by the Union Boards on the ground that they are the people who are benefited by the service of the chaukidars. And here also we may advance the same argument that the Calcutta people alone are benefited by the Calcutta Police who do serve no purpose of the people of the rural areas. Then, Sir, why they will not pay, but we are surprised that a very huge sum is spent for the Calcutta Police from the provincial revenue.

I have seen in the budget that provision for the construction of a building for the accommodation of the police in the Burra Bazar police-station has been made for a lakh or more than that. There are many other points from which it can be seen that almost half or more than that of the police budget is consumed by the police of Calcutta. It is a very curious thing to see and note that the initial pay of the Calcutta Police Sub-Inspectors is Rs. 150 per month whereas a mufassil Sub-Inspector's initial pay is only Rs. 80, and I do not understand what is the reason for this indiscriminate and inequitable distribution of pay, though the latter are to do almost the same kind of duties as the former. So it is curious that a Sub-Inspector of Bhowanipore police-station will be paid according to the scale of Rs. 150 to Rs. 200, whereas a Sub-Inspector of Alipore police-station draws from Rs. 80 to Rs. 130. Now let us see whether or not the Calcutta people are in any way responsible to pay this amount. Mr. Basu has stated that there had been an understanding between the Government and the Corporation that the latter had a right to receive taxes on petrol which the latter had given up in consideration of which the Corporation was exempted from payment of the cost of Calcutta Police; but I think that argument does not stand good because that arrangement was temporary. They are the people who enjoy, who receive money, and who exploit the poor and take all and live in luxury here. Then why should not they pay? I think, the Calcutta people are under a moral obligation to pay the cost of the Calcutta Police and to spend that amount for the good of the peasants of Bengal otherwise it does not lie in their mouth to say that they are really the people who feel for the peasantry of Bengal. I go a step further and say that the Calcutta people are legally bound to pay the cost of the Calcutta Police. With these few words, I again lend my whole-hearted support to the motion of my friend Mr. Abul Hashim.

Mr. PRABHUDAYAL HIMATSINGKA: I rise to support the motion for economy moved by the proposer of the cut and in connection with this economy I want to point out the increase in the number of Sergeants. Sir, you will remember that after the communal trouble, in 1926 a hundred Sergeants were added to the list of Sergeants in Calcutta. After that, motions were tabled for the reduction of the increased number, but the then Hon'ble Member in charge defended the increased number, not on the ground that they were necessary, but he put forward the plea that if the number were reduced it might not be possible for him to have trained men at the time of need. If that be a hindrance, Sir, in the way of effecting economy, I cannot imagine how any economy can possibly be made; if you cannot have Sergeants or people who can do the duty of Sergeants when you need, or at short notice to do the duties that are being done by Sergeants, it will not be possible to have any kind of economy effected at any time. The Sergeants you will find in the streets of Calcutta, going about practically doing nothing, in twos, threes and fours, and sometimes, not only do they do nothing but do something sometimes which is irritating, and they exceed their powers too much and put people into unnecessary difficulties. If you go to the maidan—and I think it is fresh in the memory of every one here—you will hear how they molested the Hon'ble Mr. Justice Mullick's son in the maidan. He started a case against the Sergeants which resulted in the conviction of two of them, and the Magistrate who tried the case also passed strictures against the Sergeants in question. I had myself occasions to see in the maidan how the Sergeants misbehave with the crowd. Sometimes it may be necessary to act to scare away the crowd, but generally, they drive their horses rashly in the midst of large crowds simply for the fun, because they are on horse back, they derive, and they want to see how people run from one side to another. So there is no justification for the number of 191 Sergeants as we have in Calcutta at present when they have no specific duties assigned to them. If the number be reduced to what it was before the communal trouble began, we will have a saving of about two lakhs and a few thousand of rupees straightaway, which sum can best be utilised in other nation-building services. While on this subject, Sir, I can also point out that the number of constables and other officers of other ranks in the Calcutta Police can also admit of reduction and if the Hon'ble Ministers will apply their minds in right earnest to this portion of the expenditure, they will be able to effect good economy.

Maulvi ABDUL WAHAB KHAN: As against the historical background referred to by my esteemed friend Mr. Santosh Kumar Basu, I would say that in all modern States the charge of Police is borne by the Corporation. In England the charges of the Metropolitan police are borne by the London County Council by the levy of a special rate.

Dr. NALINAKSHA SANYAL: If there be income also.

Maulvi ABDUL WAHAB KHAN: Just hear, please. It has always been the case from the beginning of the 19th century till late in 1919 when a new Act was passed, and half the cost was thrown on the Imperial Exchequer. The analogy of what prevailed in Calcutta a hundred years back cannot hold good now. From that time up till to-day within this period Calcutta has grown to be the second city of the Empire. We must judge the matter from the state of things which obtains to-day and from the reality of the present-day situation. Mr. Basu says that the Calcutta Corporation was relieved of the burden of maintaining the police simply because the Calcutta people or rather the municipal authorities of Calcutta agreed to improve the suburbs and bustees and carry out many other lots of improvements at their own cost. Sir, the mufassil people would be very glad to have the same bargain on the same terms. If they could be relieved of the cost of maintaining the rural police, they would very gladly contribute to the cost of improving the rural areas and do other rural uplift works. It may be, Sir, when Calcutta was the capital of India the difference between the rural areas and Calcutta was in favour of Calcutta, but now after a lapse of time, there has been a mass consciousness and spread of literacy in rural Bengal and for some years past the members of the legislature are fighting particularly as we know our late lamented Maulvi Abul Kasem of Burdwan strongly fought for remedying this inequity and injustice.

Dr. NALINAKSHA SANYAL: His son has taken it up now.

Maulvi ABDUL WAHAB KHAN: So, Sir, it is for two generations that the matter is being agitated. We, coming from the mufassil, assert our rights. We shall go on hammering till we have gained our cause. (Hear, hear.)

Mr. SANTOSH KUMAR BASU: Hammering for our great sorrow.

Maulvi ABDUL WAHAB KHAN: The Calcutta people made their own laws in a way convenient to themselves. Here in Calcutta litigants in the original side of the High Court pay by way of court-fees, sums which are nothing in comparison with what is paid by the mufassil people. Why this difference, Sir? These age-long invidious distinctions must be done away with. The traditions, pacts and agreements quoted by the hon'ble member representing Calcutta are not sacrosanct. These settled pacts or agreements must be unsettled for undoing the wrong that is being perpetrated over rural Bengal. At the moment we are seeing how Germany has obeyed the

Peace Treaty. To come to present-day realities, is it fair, Sir, that a city which boasts of a revenue of four crores of rupees should be protected by a police force, the cost of which is imposed on the provincial revenues? Is it fair play, Sir, that we, the people of rural Bengal, should be made to pay for the people who are enjoying the luxuries of Calcutta? The most important parts of Calcutta are Zakaria Street, Burra Bazar, and Clive Street. The people there are mostly from outside Bengal——

Dr. NALINAKSHA SANYAL: Not Park Circus?

Maulvi ABDUL WAHAB KHAN: No, Park Circus people also pay revenue to the public exchequer.

As I was saying, Sir, these people do not contribute anything towards the revenues of the Government of Bengal save and except what they pay to the Government of India by way of income-tax. Sir, I have no grudge against them; they have got sufficient intelligence to take money out of us. Because we are fools and they are clever people is it fair that we should be made to pay for their benefit. I submit, Sir, that they should pay for the benefit of their own protection and safety in Calcutta. (Mr. Santosh Kumar Basu: Don't kill the goose that are laying golden eggs.)

Sir, I appeal to the present Cabinet to take courage in both hands and charge Calcutta for the Presidency Police, and I appeal to my friends and the citizens of Calcutta to remember that they are rich people and that they should not allow this heavy charge to be realized from the ill-fed and ill-clad people of the province.

Sir, my friend Maulvi Abul Hashim was telling us last night that the day of reckoning had come. The past Government said, when this very debate was last held, that they had collected certain materials for the new Government, which would come to a decision on the basis of them. Sir, we do not know what those materials are. We concede that there are difficulties, but they must be overcome a bold hand. We would no longer be content with the stock reply that the question bristles with difficulties, for which the Government not yet ready with a solution. During the last budget session also this subject was mooted and this question is being raised year after year, but no satisfactory reply has yet been forthcoming from Government.

In conclusion, I would request Government to take immediate action in the matter and earn the gratitude of rural Bengal.

Dr. H. C. MUKHERJI: Mr. Speaker, Sir, in supporting this cut motion I would merely draw the attention of Government to an item

which appears at page 87 of the explanatory memorandum. It concerns a sum of Rs. 10,223 for free treatment of members of the Calcutta Police and the Bengal Police suffering from venereal diseases and kala-azar.

Sir, I should like to know how much of this money is going to be spent for *kala-azar* treatment. I quite appreciate the fact that in the course of discharging their duties some members of the Police force might fall victims to *kala-azar*, but I do not think that the public should be called upon to pay for the sexual indiscretions of members of the Police force. (CRIES OF "Hear, hear" from Congress benches). Sir, I am of opinion that those who suffer from these objectionable diseases are the last persons who should be entrusted with the task of looking after the welfare of the people of this country. I would, therefore, most respectfully ask the Hon'ble Minister in charge of the Home Department to reconsider his decision on this matter.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir, the Hon'ble Member, the Whip of the Congress party, made rather an interesting suggestion yesterday to the effect that, as the sponsor of this cut motion was wasting the time of the House chance should be given to his brothers on the Congress benches also to waste the time of the House in a similar fashion. (Laughter.) Since some members have the conviction that by carrying a token cut of Rs. 100 they will drive the Cabinet out of office, I do not see why the mover should not have the right to waste the time of the House——

Dr. NALINAKSHA SANYAL: But you always withdraw afterwards.

Mr. ABDUR RAHMAN SIDDIQI: If your motion is defeated, then the end is the same.

Not being a criminologist, Sir, I do not think it will be fair on my part to discuss whether the people of India are or are not a docile community, but from what I have heard we are considered to be a rather law-abiding people. If that is correct, then I think that the Hon'ble Minister in charge should reconsider his whole position and listen to our appeal to reduce the money spent on the police in Bengal. I admit, Sir, that no Government is possible without the Police or the Criminal Intelligence Department, but the encomiums showered on the police yesterday and the certificates given by the Hon'ble Minister in charge did leave me a bit cold. His point of view seemed to be that the police in Bengal, unlike the police in every other part of the world, was composed of angels, of honest and intelligent men. I do not rule out such a contingency but only as exceptions. I think, Sir, that the new Act gives the Minister power to change the present mentality and outlook of the police. Till now the police has ruled

us. Henceforth we look forward to a change in its mentality. The Minister and the people should realise now that it is we who have got to rule. The police also must realise that they are the servants of the people and the guardians of peace. Their object is not to act as agents to stifle the national movement or put a seal on the brains of the thinking people of India.

Sir, assurances were given by the Hon'ble Minister, that drastic action would be taken against the police for any breach or failure in the performance of their duty. I hope that these pious hopes and platitudes will not remain only in a chrysalis stage. Let us see the butterfly as well. Let us also see that we are really in a better position and have come in line with other civilized countries where the police does not interfere with political and national affairs. The mention of the Criminal Intelligence Department, Sir, reminds me of an interesting incident. When the Government of India went from Calcutta to Delhi, the Criminal Investigation Department of the Punjab and the Criminal Investigation Department of Bengal came into clash with one another. Calcutta experts wanted to establish their superiority but the Punjab decided to "learn" them a lesson.

That generous and large hearted lady, Her Highness the late Begum of Bhopal, had about that time decided to give rather a good donation to the Arabic College known as the "Nudwat-ul-Ulama". At the instigation of some mischievous imp in the Punjab force, a rival Calcutta officer was induced to submit a report that the Begum Sahiba of Bhopal was going to marry Maulana Nudwat-ul-Ulama—on the analogy, no doubt, of Shams-ul-Ulama—and that the association thus created would be a most dangerous one as Mowlanas of the type of Muhammad Ali and Shaukat Ali would secure millions of rupees from the Begum Sahiba of Bhopal and the money would be utilised for nefarious purposes and in throwing out the Government of India. The whole C. I. D. force of India, from Simla, Delhi, Lahore and Calcutta, studied this case for over four months in order to unravel the mystery and as a result of investigations it was found that Her Highness out of her generosity had paid a donation to the Nudwat-ul-Ulama and nothing else. Such cases are not unusual. It will thus be seen that every case instituted by the Criminal Investigation Department is not based on correct information, and consequently action taken on such information would not be justified.

Looking at the budget, I find that instead of reduction, every item in the Police budget seems to be inflated, in a Province where the policy of release of quite a large number of detenus and the closing up of detenu camps is being followed. I expect that there will be a further release of political prisoners and detenus and so I should certainly like to see considerable reductions in expenditure instead of

increase. My only hope is that the Hon'ble Minister will not spend every pie granted.

We want money for other objects and purposes. I hope that the ideal which the Hon'ble Minister will have before him will be to reduce expenditure under "Police" by at least half. The money saved by the release of detenus and the closing of concentration camps could be put to better use——

Dr. NALINAKSHA SANYAL: On what motion is the honourable member speaking?

Mr. ABDUR RAHMAN SIDDIQI. I believe, Sir, I am relevant because these points were raised yesterday in the discussion.

Sir, I do not wish to take the time of the House any longer but I do hope the pious hopes and platitudes uttered by the Hon'ble Minister will not remain where they are. I do not want to be classed with people who hold to the belief "blessed are they that expect nothing".

The Hon'ble Khwaja Sir NAZIMUDDIN: I cannot refrain from dealing first with the speech of the honourable member who spoke last. It is rather extraordinary that he should have come out with a speech on a motion which has not yet been moved and yesterday also he got up and suggested something which had already been dealt with by the House. So, I leave to the members of the House to judge the value of his speech and his remarks about the Criminal Investigation Department police which was another mistake.

Mr. Santosh Kumar Basu yesterday passionately advocated the cause of the people of Calcutta and objected to the charge of the Calcutta Police being imposed on Calcutta. I should have expected that a clever and able lawyer like him will rest his arguments on more substantial historical facts than he related yesterday.

Mr. SANTOSH KUMAR BASU: I had only five minutes.

The Hon'ble Khwaja Sir NAZIMUDDIN: The historical facts could have been stated even in five minutes without the misleading statement which he unfortunately made yesterday. When the arrangement was made between the Government of Bengal and the Calcutta Corporation in 1888 to take over charge of the Calcutta Police from the Calcutta Corporation it was done on the understanding that it would be only for a temporary period. At that time the total cost of the Calcutta Police was Rs. 4 lakhs and the Calcutta Corporation was contributing Rs. 3 lakhs towards it. It was suggested that some of the suburban areas of Calcutta should be taken over by the Calcutta Corporation and the Calcutta Corporation represented that as they

would have to incur vast expenditure for the improvement of the bustee areas, they should be relieved of the burden of maintaining the Calcutta Police. After discussion between the Government of India and the Government of Bengal it was arranged that the Government of Bengal should pay for the Calcutta Police and in lieu of that the Calcutta Corporation undertook to spend Rs. 3 lakhs a year for the improvement of sanitation and other conditions of the suburban areas which were to come under the Calcutta Corporation. At that time the Government of India made it absolutely clear that this was not to be a permanent arrangement, and the Government reserved to themselves the right to call upon the Calcutta Corporation to bear the cost of the Calcutta Police. Therefore there was no agreement whatsoever that the Calcutta Corporation should not be called upon to pay for the Calcutta Police. It was only done because the Calcutta Corporation would have to incur large capital expenditure at that time for the improvement of the additional areas which were added on to the then Calcutta. That was the main reason and since then 30 years have passed and the income of the Calcutta Corporation has increased tremendously. There can therefore be no justification for maintaining that the Calcutta Corporation should not bear a portion of the cost of the Calcutta Police.

Mr. SANTOSH KUMAR BASU: Will you give back the petrol tax?

The Hon'ble Khwaja Sir NAZIMUDDIN: Here again the honourable member is making a great confusion between petrol and petroleum. Petroleum was the thing and the income from petroleum even now would be far less than the petrol tax. As far as petroleum is concerned it is extremely doubtful what the position was, because it was an agreement between the Government of Bengal and the Government of India. The Government of India agreed to pay the Government of Bengal two-thirds towards the cost of maintaining the Calcutta Police and on the understanding that the local Government would not impose any tax on petroleum. Of course it also meant that the Calcutta Corporation would not be allowed to charge any tax on petroleum. But from the facts as I have read, it appears to me that it was a stipulation between the Provincial Government and the Government of India, because it was the Government of India who were going to contribute two-thirds of this 3 lakhs to the Provincial Government on the Provincial Government giving an undertaking that they would not impose any tax on petroleum and as the Government of Bengal gave an undertaking it necessarily followed that the Calcutta Corporation also could not impose tax on petroleum. This is the position as far as petroleum is concerned.

As regards the mover of the motion I would like to join issue with him on one point only. I do not controvert his other argument which he has raised in support of his proposition that Calcutta should contribute towards the cost of its Police but I do object to his basing it on the ground that it is because the poor people should get some relief or rather in the interest of the poor people that he is suggesting that Calcutta should pay this tax. He assumes that the tax will be paid only by the rich people of Calcutta. If statistics are taken, it will be found that the number of poor people in Calcutta far exceeds the number of rich people, and the poor people of Calcutta are just as poor or perhaps more poor and in more distressed condition than the poor in the mufassil area. Therefore to maintain that this burden should be placed on Calcutta only because it will be a burden on the rich is not correct. The poor will also have to pay their share of contribution and in imposing this burden, I think, the members of this House will have to bear in mind the poor people of Calcutta and it is not only the very poor people, the working classes, but the condition of the poor middle classes also,—people who have inherited very big houses and are living there with their families although their income has gone down very considerably. Tax imposed on those houses would be a very heavy burden on those who were at one time very well off but have now gone down in luck. They have got no other place to go to and they have got to live in those old family houses and the burden of taxation would fall very heavily on those poor middle class people.

Maulvi ABUL HASHIM: Let them sell their houses and go elsewhere.

The Hon'ble Khwaja Sir NAZIMUDDIN: I would request the members of this House to always bear in mind the fact that the burden will fall on the people of Calcutta, because going into the history and looking at the old papers Government are satisfied and have decided that Calcutta should contribute towards the cost of the Calcutta Police.

Dr. SURESH CHANDRA BANERJEE: The whole of it?

The Hon'ble Khwaja Sir NAZIMUDDIN: As to what the amount should be, what the proportion should be, how the thing is going to be done, are questions which require further investigation.

Dr. NALINAKSHA SANYAL: Who will control them?

The Hon'ble Khwaja Sir NAZIMUDDIN: As far as control is concerned, the Government are definitely of opinion that it must remain with Government.

Dr. J. M. DAS GUPTA: If you make over the control of the Police to the Corporation, Calcutta will contribute.

The Hon'ble Khwaja Sir NAZIMUDDIN: Calcutta will have to contribute but the control must remain with Government.

Dr. NALINAKSHA SANYAL: Make it a Municipal Police and Calcutta will gladly pay.

The Hon'ble Khwaja Sir NAZIMUDDIN: It does not necessarily follow that because you will have to contribute the control of Police should remain with you. It is necessary that the control of Police should remain with Government.

Mr. SANTOSH KUMAR BASU: Will Calcutta have to pay the whole cost of its Police?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not a question of total payment but contribution towards it.

Other issues have been raised which I do not consider to be major issues and I do not propose to deal with them.

Maulvi ABUL HASHIM: Have the Government definitely decided that Calcutta will have to pay a portion and not the whole of the cost of its Police or this question is also under consideration?

The Hon'ble Khwaja Sir NAZIMUDDIN: Nothing has been definitely decided but I am saying this only as a reply to the point raised.

I am glad to find that at least one person from the Opposition is prepared to support this proposal, although——.

Dr. J. M. DAS GUPTA: Many are prepared to support the proposal if the control is given to them.

The Hon'ble Khwaja Sir NAZIMUDDIN: One of the important members of the Congress Bench has supported this cut motion, but I hope the other members of the Opposition will support the demand that Calcutta should pay for its own Police. I hope in view of the reply that has been given the hon'ble member will withdraw his motion.

Maulvi ABUL HASHIM: As the Hon'ble Minister has accepted the principle I beg to withdraw my motion.

The motion of Maulvi Abul Hashim was then by leave of the House withdrawn.

Mr. SPEAKER: Mr. Premhari Barma, I think it would be convenient if you move your motion immediately after adjournment. I will adjourn the House for ten minutes and thereafter I will give Mr. Premhari Barma the first chance. I hope this debate will be short. In any case I propose to close the Police Budget at about 5-45 or 6 p.m. and then take up Administration of Justice.

The House was then adjourned for ten minutes.

(After adjournment.)

Mr. PREMHARI BARMA: I beg to move that the demand of Rs. 2,07,89,000 under the head "29—Police" be reduced by Rs. 100 to discuss non-appointment of scheduled castes in police services in Bengal.

Sir, the scheduled castes have all along worked with Government. They have been co-operating with Government for a long time; even before the non-co-operation movement they have been co-operating with Government. During the war time, I mean during the time of the last Great War, the scheduled caste community also sent in a large number of recruits to the Bengali Regiment, and specially the scheduled castes of North Bengal went in large numbers to the Bengali Regiment and served in Mesopotamia and other places and successfully did their work. But unfortunately the scheduled castes are not appointed even as constables. Recently Government have declared its policy of including Bengalees in this force, but Government did not say a word with regard to the policy of whether they will reserve a percentage from the scheduled caste community for the police service. I hope, therefore, that Government will declare their policy that a certain percentage of the scheduled caste will be appointed to the police force of Bengal.

Another thing is that when constables are appointed no advertisements are made and, therefore, nobody knows when vacancies occur and are filled up. It is, therefore, necessary that advertisements should be published so that the public might come to know of them, otherwise the public will not be in a position to know of these things, and no scheduled caste candidate will be able to apply.

In the case of sub-inspectors and assistant sub-inspectors no scheduled castes are appointed. There is nowadays no dearth of candidates from the scheduled castes for these appointments but unfortunately no one is appointed. When the authorities are approached they say that they are not efficient and so meritorious, but we say, Sir, that efficiency and merit are not always the criteria of appointment to Government services. In many cases inefficient men are appointed, and in the case

of scheduled castes also we hope that Government will appoint men from the scheduled castes with the minimum qualifications. Otherwise they won't be able to get any appointment. Moreover, in the appointment of sub-inspectors and assistant sub-inspectors we see that 80 to 90 per cent. of them generally go to the superior office holders in that department, and outsiders are seldom taken in. If we scrutinise the appointments in the police services, we find that 80 to 90 per cent. of he appointments go to the superior service-holders, and I think Government ought to see that this is not done. In my opinion, if the appointments are made on the recommendations of the Public Service Commission, then such things will not happen and the relations and sons of the superior service-holders will not get any preference over candidates of other communities, and I hope that Government will certainly declare their policy of appointing a certain percentage from this community to the police service and we hope that 25 per cent. of appointments to this service should be reserved for the members of the scheduled castes.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, I do not wish to encroach very much upon the time of the House but I wish wholeheartedly to support the motion that has been moved by my hon'ble friend Mr. Premhari Barma. I would, however, just like to remind the House of a little bit of history. It is probably forgotten by many people that those who, unfortunately, are now classed as scheduled castes were at one time the warriors of Bengal. There was a warrior caste in Birbhum and Bankura and correspondingly, the Namasudras of Eastern Bengal were also of a warrior type. But by a process of deliberate emasculation, by a process of demilitarizing the Bengali race by the British, they have been reduced to their present position, and without saying anything more, but only just reminding the House of a bit of history which has not yet become too ancient and which is worth remembering, I entirely support the cut motion.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am very glad to find Mr. Tulsi Chandra Goswami supporting this motion in favour of the appointment of scheduled caste people to the police service of this province. I agree that the grievances of the scheduled castes in this respect are legitimate, and that so far they have not had any satisfactory representation either in the Bengal Police or in the Calcutta Police. The question of reservation of appointments to this service is under the consideration of Government, and the question of reservation for the scheduled caste will be taken up along with that of the Moslems soon, and then we shall see that provision is made by which scheduled castes are taken in the police service. Certain practical objections have so far stood in the way of their being recruited as constables, and one of them is that it will require separate kitchens, but if there have got to be

separate kitchens for Moslems, then I do not see any reason why there should not be separate kitchens for the scheduled castes as well, and I do not think that there should be any insurmountable difficulty in ensuring recruitment from the scheduled caste community to the police force. I am, therefore, inclined to think that there will not be any difficulty in getting good recruits from the scheduled castes for constables. Similarly, I see no reason why there should not be good recruits available for the posts of sub-inspectors of police from this community. As members of this House are aware, under the existing rules direct recruits to the police service are, besides constables, to the ranks of Sub-Inspectors of Police, Deputy Superintendents of Police and to the Indian Police. When Government are making reservations they will keep in mind the claim of the scheduled castes and they will see that they are recruited to the police force. I hope, therefore, that this assurance will satisfy the hon'ble mover and he will withdraw his motion.

A voice: What about promotion?

Mr. RASIK LAL BISWAS: On a point of information, Sir. Is it for the consideration of reserving appointments in the Police Department for the scheduled castes that Government did not appoint any one from this community as sub-inspectors of police direct last year, and they had already issued a circular that no scheduled caste will be appointed to the Armed Branch of the Constabulary?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not aware of any such circular, Sir. I have said that so far some practical difficulties have stood in the way of appointing scheduled castes to the police service, but Government are now going to see that those difficulties will no longer stand in the way.

Mr. PREMHARI BARMA: Sir, in view of this assurance from the Hon'ble Minister I beg leave of the House to withdraw my motion.

The motion of Mr. Premhari Barma was then by leave of the House withdrawn.

Mr. SPEAKER: Mr. Barada Prosanna Pain——

Mr. JOGESH CHANDRA GUPTA: Sir, Mr. Pain has got a toothache to-day and has asked me to move his motion for him.

Mr. SPEAKER: In that case you can move this motion as your own motion and as a short-notice motion.

Mr. JOGESH CHANDRA GUPTA: Very well, Sir.

I beg to move that the sum of Rs. 2,07,89,000 demanded for expenditure under the head "29—Police" be reduced by Rs. 100, in order to emphasise the non-necessity for extra expenses and extravagant expenditure incurred on account of the secret service.

Mr. SPEAKER: Mr. Gupta, I find in the original motion the object was to draw attention to the necessity of continuing Special and Intelligence Branches, but I see that you have quite changed the object.

Mr. JOGESH CHANDRA GUPTA: I will discuss that also along with my motion.

Sir, we all thought after Government had repeatedly stated in public and also in answer to addresses read out to the Government officials that the atmosphere in Bengal had considerably improved, we naturally expected that expenditure under the head "Secret Police" would be reduced. But what do we find instead? We find that there is an increased provision this year for secret service for the amount of Rs. 35,000. That is extra. The charged budget provision is Rs 1,28,000, and the voted provision is for Rs. 16,35,000, whereas in 1937-38 the charged head provision was Rs. 1,28,000 and Rs. 16,05,000 was the provision on the voted head. We know that most of the unfortunate young men detained without trial are being released slowly, though we expected that the release would be completed before. Yet we are surprised to find that the increased provision for secret service has been made. Sir, the public may very rightly think that these young men who have been released will now be dogged and watched, and we shall soon hear adverse secret reports pouring in against them. Our objection against the maintenance of secret service is obvious. Particularly when one knows that his appointment will continue if he can make out that circumstances are such as would necessitate the employment of a large number of watchers, would anybody expect that these people, against their self-interest, will refrain from giving reports which would alarm the authorities that this thing or that thing is being done by this group of young men or individuals? In the nature of things we should always have an open enquiry. Whenever any adverse report against any young man or for the matter of that, against any person is sent out, that person, before he is proceeded against, ought to have an opportunity to explain the report against him. But if we maintain the secret service organisation,—nay, strengthen the organisation,—when we all realise that the condition, the atmosphere in this province has very much improved, I submit the provision of this increased amount of Rs. 35,000 is bound to be abused, and it is a source of danger to the young men who have just been led out of the prisons.

We know that this secret service money is spent in such a way that there is very little for Government auditors by which to check the authenticity of the expenditure. I do not think I will be justified in taking more time of the House, but I would very fervently appeal to all sections of this House not to support the provision for the secret service money, particularly this increased provision for secret service which has been made this year, unless the Minister in charge of Home Affairs would indicate to us what exactly are the heads, what exactly is the additional requirement, having regard to the circumstances and the conditions prevailing in this province, that makes it absolutely necessary to spend this large amount.

With these few words, Sir, I would commend this motion to the acceptance of the House.

Mr. ABUL HOSAIN AHMED: Mr. Speaker, Sir, as an ex-member of the Bengal Police I rise to say a few words regarding the Police Administration of the province. It is really a matter of great concern that the Police, who ought to be looked upon as guardians of life and property of the people, are subject to so much scathing criticisms from all quarters. There must be some strong reasons for it. It would be a perversity of truth, if anybody says that the complainants against the police are groundless, or that they arise only out of local party factions or that they are subject to criticisms simply because they have got to discharge the unpleasant duties of bringing the offenders to trial.

But, Sir, we all know that it is not the offenders or suspected criminals alone that complain against the activities of the Police, but the innocent public outside, who are only sight-seers of the movements of the Police, have also got plenty of grievances to make against the Department.

I admit, Sir, that the maladministrations in the Department have been minimised and the Department has improved to a certain extent than what it was 20 years ago. But still it is not what it should be. There are many things yet to be done.

I had been in the Police service for about 22 years; I would, therefore, like to deal very briefly with the internal defects in the administration of the Department and how those defects can be remedied.

The corrupt practises resorted to by most of the subordinate staff of the Calcutta Police as well as those of the Bengal Police are— .....

(*i*) the taking of illegal gratifications from offenders as well as from innocent and docile men of means;

(*ii*) submission of false diaries and reports;

(*iii*) suppression of police cognisable cases and other information;

(*iv*) fabrication of false evidence.

Now, Sir, these are very serious departmental offences and the punishment that deserves to be meted out to the offenders is dismissal from service.

The rough and unmannerly dealing of the Police with the members of the public is also another grievance. Even a petty Constable, while on duty in mufassil, moves with an air of superiority and feels that he is the master of the public, instead of their servant. This show of superiority complex helps him to commit many abuses by threats and otherwise. These are matters of daily occurrence and it is known to many of my colleagues, most of whom have come from mufassil villages. Some of my friends in this House also, I think, have personal experience in the matter.

These abuses cannot be done away with due to the prevailing defective system in the administration of the Department. Inefficient administration is at the root of the evil. Chowkidars and constables are controlled by the Sub-Inspectors and their assistants who seldom care to check their work involving unnecessary troubles without any personal pecuniary gain to themselves. Besides, these supervising officers also are not above corruption. This is why they cannot and do not keep them under proper check. They fear that, if they go to disturb them, their own drawbacks may come to light.

The immediate superior of these classes of investigating staff is the Circle-Inspector of Police who is raised to this rank by gradual promotion to supervise the work of his own former colleagues. As a matter of fact, this Circle-Inspector is an old sinner of the lower rank, with all the malpractices deep-rooted in him. There may be honourable exceptions, but the number is infinitesimal. How can we expect better supervision from these classes of officers? Besides, the departmental clique to protect the so called prestige of the Department also stands in his way of taking strong action against his subordinates.

If, by chance, any subordinate Police Officer is charged of any malpractice by any member of the public, he finds support of the whole Department behind him in the name of the departmental prestige.

The supervising officers of the superior rank—, I mean the Deputy Superintendents and Superintendents of Police on the other hand, do not think that they have anything more to do, than imparting instructions to their immediate subordinate officers, and issuing circulars. They do never seriously care to check the abuses, committed by his subordinates or to punish the offenders properly, as it may bring to light the scandals of his own Department.

It is useless to dwell at length the defects in the administration of the Department as these are known to everybody.

If we really want to improve matters, reshuffling is indispensable to a certain extent. If we want to make the Department popular, and do away with the abuses of power, it is necessary that new blood should be infused into the administrative machinery of the Department.

The first thing in this direction to be done, is to change the method of training to the newly recruited officers. The prevailing system of training by experienced officers of the Department cannot be expected to make any satisfactory impression in the psychology of officers under training, for changing their outlook as demanded by the public at large. Great care should be taken in the selection of instructors of Training Schools and Colleges, as these are the persons on whom depend the type of Police we shall have. At least some instructors should be taken from outside this Department. The system of recruiting the head of the Department from the Superintendents of Police, should also be discontinued. A Superintendent, when placed at the head of the Department as Inspector-General of Police, naturally finds himself in a delicate position, when he has to control officers who happened to be his comrades in service at one time or other. Besides, he cannot look at things from different angle of vision, than what he was accustomed to do. I can assert without any fear of contradiction that the Department was making steady progress towards improvement in all directions, when it was used to be placed under Civilian Heads. From my personal experience, I definitely remember how better things were carried on when Mr. Hughes Buller, a member of the Indian Civil Service, was placed at the head of Police administration probably from 1902 to 1908 for the last time.

I do not know why and to suit what mysterious political purposes a departure was made from this state of things by the former Government and Inspector-General of Police began to be recruited by departmental promotion.

Now that things have changed under the Provincial Autonomy, we can reasonably expect that, for better administration, the present Government will seriously consider the question of filling up the post of the Inspector-General of Police from experienced and efficient officers of the Superior Civil Service.

Last but not the least, it is also imperatively desirable that the recruitment of the Circle Inspectors should be made directly either from Bengal Civil Service Competitive Examination or these posts should be filled up by experienced and efficient Sub-Deputy Collectors with reservation of certain percentage for departmental promotion.

The post of the Circle Inspector may be said to be the pivot of the Police administration. These are the officers who are in actual touch with the whole affairs in different police stations. As I have said before, they have also got to shield their subordinates against detection or punishments for various reasons.

If the above suggestions are carefully considered by the Hon'ble the Home Minister and given effect to, I am sure, many of the causes of public grievances will disappear and I have reasons to believe that the Department will rise up to the mark to a great extent. The steady success in this line may in the near future build up a different tradition for the Police administration, for which we all look forward.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, as you permitted the last speaker to continue his speech, which I think was not strictly relevant——

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. He has opened his speech with a remark against the Chair.

Mr. SPEAKER: I have not heard it.

The Hon'ble Khwaja Sir NAZIMUDDIN: I said, Sir, that as you have permitted the last speaker to continue his speech which was not strictly relevant to the motion that has been moved. If there is anything wrong I want to withdraw it.

Mr. SPEAKER: I do not think it is wrong to say that it was not strictly relevant to the motion moved by him.

The Hon'ble Khwaja Sir NAZIMUDDIN: May I take this opportunity to inform the House that the Inspector-General of Police, Bengal, Mr. Farmer, has started co-operation meetings in rural areas to bring about better relationship between the Police and the public, and he would very much welcome the presence of M. L. A.'s at these meetings if they would kindly attend them and help to bring about a better understanding between the Police and the public.

Maulvi ABUL HASHIM: Will the M. L. A.'s be invited?

The Hon'ble Khwaja Sir NAZIMUDDIN: The idea is that they will kindly take the opportunity of attending these meetings.

Maulvi ABUL HASHIM: How will they know that there are such meetings unless they are invited?

The Hon'ble Khwaja Sir NAZIMUDDIN: The meetings will be held in their areas and the local M. L. A.'s will be informed and requested to attend the meetings. Invitations will be sent to them.

Now, as far as the motion that has been moved on behalf of Mr. Pain by Mr. J. C. Gupta at short notice, I take it that the members of the Opposition do not seriously press for this resolution.

Rai HARENDRA NATH CHAUDHURI: No, no. We do it seriously.

The Hon'ble Khwaja Sir NAZIMUDDIN: Otherwise, we should have expected more speeches at least and better arguments put forward than have been in support of this motion. I am sure Mr. J. C. Gupta must have been speaking with the tongue in his cheek when he said that there is no justification for the continuance of the Intelligence Branch and the Criminal Investigation Department. To begin with what is the ground for saying that there is a better atmosphere prevalent in Bengal? Look at the Press. Look at the speeches made on the platfrom, and what is more, all these men are being released without any undertaking whatsoever from them. There is no undertaking given by a single detenu on release. They are simply being released on trust. The statement that the Intelligence Branch service depends on their submitting false reports is absolutely ridiculous considering the past history of what happened. There have been three releases on a much greater scale than this, and there has been recrudescence of terrorism after every one of them. Is it suggested that in those times also the Intelligence Branch gave false reports? Is it suggested that all these crimes that took place in the past did not exist, and that everything that was submitted by the Intelligence Branch was wrong?

Sir, I would ask the members of this House to examine the position which I would like to place before them. Here is Government. Taking into consideration the new constitution and the responsibility that has been placed on the Ministers, and under the changed circumstances for taking the responsibility of releasing a large number of people who have been in some way or other connected with the terroristic movement, is it not all the more necessary as far as recrudescence is concerned, that we should strengthen the hands of the Intelligence Branch Department? There must be some check. We have released these men absolutely without any assurance and without taking any undertaking from them. Supposing for argument's sake there is again recrudescence of terrorism what shall we do? It has happened twice before. No one can guarantee what these people will do in the future. There is nothing to show that there has been any change; there is no positive evidence yet to show that there are no hidden arms. Have they been surrendered? There are still secret organisations. Have they been given up?

Mr. SARAT CHANDRA BOSE: Where are the hidden arms?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am surprised that Mr. Sarat Bose has asked me this question. I would rather ask him to ask the released detenus as to where the hidden arms are.

Mr. SARAT CHANDRA BOSE: Does not the Hon'ble Minister know where the hidden arms are?

The Hon'ble Khwaja Sir NAZIMUDDIN: Had we known them exactly, we would have seized them.

Mr. JOGESH CHANDRA GUPTA: It is conjecture.

Mr. TULSI CHANDRA GOSWAMI: It is imagination.

The Hon'ble Khwaja Sir NAZIMUDDIN: I would ask the Leader of the Opposition to go and ask the released detenus, to ask the convicted prisoners and to see if they deny the truth of my statement. I have talked to both and they have not denied it to me. That is the real thing that exists, Sir. Now there must be something tangible, something more than a mere statement that these people have given up all ideas of terrorism which is not enough. We are all human beings and so we want to have something tangible, something positive to show the absence of any overt act, that there has been really a change of mentality.

Rai HARENDRA NATH CHAUDHURI: What kind of overt act?

The Hon'ble Khwaja Sir NAZIMUDDIN: Give up all secret organisations; release all the secretly hidden arms. Sir, these are the things I would ask the honourable members to remember, to believe that I have had conversations—intimate conversations—with detenus and political prisoners over this, Sir, and that I am sure of the facts of what I am stating. Therefore the responsibility for this Government rests on the Ministers and on the Coalition Party, and to a certain extent, also on the members of this House. (Laughter.) Supposing there is recrudescence of terrorism, what reply will this Government give before the bar of public opinion? They will say then that we have taken no precaution whatsoever, taken no steps to ensure that if things go wrong we can put a check to it, we can stop it. Is it advisable to merely rely on a statement that your house is not going to be burgled, your things won't be stolen and to keep your doors and cupboards open, unlocked. Is that prudent? Will any man admit it? Here we are releasing these prisoners and thereby we are reducing the expenditure, but at the same time it is necessary in view of the past experience to keep the Intelligence Branch and the Criminal Investigation Department there, so that in case anything happens, we may be in a position to take steps in time. Supposing, for argument's sake that individual terrorism is given up, where is the guarantee that these people won't organize themselves

on a large scale to have again some attack, as it was made on Chittagong, not on one place but on a half dozen places simultaneously. I put it to you, is it not possible for them to organize on that basis and to attack half a dozen or more towns at the same time; and succeed and supposing you have got no information and thereby you allow them to do it, who will be held responsible?

Mr. JOGESH CHANDRA GUPTA: Trust begets trust.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, honourable members of the Opposition have been talking of trust, trust and trust. Have they shown any? Look at the speeches they are making, look at the writings in the Papers, lauding the people to rise as heroes, martyrs. Speaking every time like that, it excites you to follow their example. Is that the way to keep trust? Is that the way to stop terrorism in Bengal? Sir, such are the past histories. Then, Sir, there was a mass mammoth meeting Yesterday. Who were the people who led the procession? Young boys of the schools and colleges mostly comprised that. Now leaving aside these people who have been in detention, again you are contaminating the other youths of the province. Again the boys are being taken into these steps. And I ask that if you want Government to give up completely the present policy of retaining the special police, and detaining the detenus you must give us something which will place us in a position, that if something overt happens, we may be in a position to take steps to prevent any serious attacks like the one made at Chittagong. Now, Sir, it is the duty of the Government to take reasonable precaution. We are taking reasonable precaution; we are pursuing a policy of progressive release. We are releasing people but at the same time we want to be in a position so that if there is any recrudescence, if there is any organized attack and supposing to-morrow these convicted prisoners again threaten government by going on mass strike, these can be prevented.

Babu NARENDRA NARAYAN CHAKRABARTY: The Hon'ble Minister is only supposing.

The Hon'ble Khwaja Sir NAZIMUDDIN: Of course everything must be on supposition, because it cannot be otherwise. Because no one can tell what will happen to-morrow, no one can tell, no one has the foresight to say what these men are going to do to-morrow. We have got to go on past experience, past activities of these persons, and what has happened in Bengal you cannot forget, these things are there—and they have got to be—and precautions have got to be taken.

Mr. M. SHAMSUDDIN AHMED: May I ask a point? May I know what the police and the military will do then?

The Hon'ble Khwaja Sir NAZIMUDDIN: The answer is so simple that I should have thought that it should not have necessitated Mr. Shamsuddin to ask a question like this. The Police and the Military would do what they did after the Chittagong Armoury Raid. They would catch the raiders afterwards, but in the meantime people would be killed, they would be robbed of all the money before any troops or any police assistance is sought for, and if the Chittagong raid has been a successful one, a large number of people of Chittagong would have been robbed of all the money and they would have been in possession of the town for two days. Before any troops or any police assistance could be sent to Chittagong, they would have been in possession of the town completely for two days. That was the arrangement. The railway line was broken, telegraphic wires were cut, that was the attack on Chittagong made, and they would have been in complete possession of the town, and before retiring they would have seen all the people who had possessed money, relieved of the same (laughter). That would have been the position.

Mr. M. SHAMSUDDIN AHMED: What were the whole of the I. B. and the C. I. D. doing?

The Hon'ble Khwaja Sir NAZIMUDDIN: I very much appreciate Mr. Shamsuddin. It is for that only that we want to have the C. I. D. and the I. B., to prevent such things.

Mr. M. SHAMSUDDIN AHMED: You have already shown by your statement that the I. B. and the C. I. D. have not been able to stop it.

The Hon'ble Khwaja Sir NAZIMUDDIN: You have yourself said so it transpires from your statement that the C. I. D. and I. B. are necessary, and I am very much obliged to you for that. At that time, all the emergency laws were repealed and Government had no power to take action rather they did not have the legal power to arrest these people, and so this was one of the reasons why it was possible to have the raid at Chittagong.

Mr. TULSI CHANDRA GOSWAMI: It is a very incorrect statement.

Mr. SANTOSH KUMAR BASU: The Bengal Criminal Law Amendment Act was in force.

The Hon'ble Khwaja Sir NAZIMUDDIN: It was not so.

Mr. SANTOSH KUMAR BASU: Why, it was passed in 1925?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Chittagong Armoury Raid took place after the repeal of that, after it was allowed to lapse, and it was not renewed.

I hope I have been able to show from the very questions that have been put by honorable members on the opposite side by the Congress members and the so-called allies of the Congress—(Laughter).

Dr. NALINAKSHA SANYAL: What is it?

The Hon'ble Khwaja Sir NAZIMUDDIN: The allies of the Congress.

Mr. M. SHAMSUDDIN AHMED: Secret allies?

The Hon'ble Khwaja Sir NAZIMUDDIN: No, I said 'the so-called allies'. As I was saying, Sir, I feel that I have been able to show that the I. B. and the C. I. D. are absolutely necessary. Besides, as far as the C. I. D. is concerned it is necessary for the purpose of checking crimes like big gang-cases, murder cases, and other cases. I am sure that the honourable mover does not really want to abolish the C. I. D., but what he really wants is to abolish the I. B. Sir, I have proved to this House that it is necessary that the I. B. should continue.

Mr. SANTOSH KUMAR BASU: Proved to your satisfaction?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

(At this stage Mr. Sarat Chandra Bose rose to speak.)

Mr. SPEAKER: Mr. Bose, if you want to make any statement, I am prepared to grant you a few minutes.

Mr. SARAT CHANDRA BOSE: I was inquiring, Sir, whether you would allow me a few minutes to reply to the speech of the Hon'ble Home Minister.

Mr. SPEAKER: I am afraid I cannot allow you to reply to the speech of the Hon'ble Home Minister at this stage, because that is not permissible. But if you, as the Leader of the Opposition, want any information, I am quite prepared to allow you 4 or 5 minutes.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. May I know why is it not permissible?

Mr. SPEAKER: Because the Hon'ble Home Minister has already replied to the debate, and it is practically closed.

Rai HARENDRA NATH CHAUDHURI: May I, Sir, submit another point of order? In the House of Commons when the Committee of Supply considers a demand for grant, it has to follow the procedure of the Committee of the whole House; but in the case of an amendment for the reduction of a grant it takes the place of the original motion and is treated as a substantive motion. That is the procedure in the House of Commons, and if that procedure be adopted we cannot be denied the right of reply in such cases.

Mr. SPEAKER: But it has never been the procedure here.

Mr. SARAT CHANDRA BOSE: Well Sir, if I am not permitted to make a speech, I should like to have information on one point from the Hon'ble Home Minister, and it is this: what is it that the Special Branch and the Intelligence Branch can do which the ordinary police cannot do?

Dr. NALINAKSHA SANYAL: They manufacture false political cases!

The Hon'ble Khwaja Sir NAZIMUDDIN: The Special Branch police are specially trained for obtaining information of the activities of those who carry on their activities in secret

Mr. SARAT CHANDRA BOSE: Are we to understand that Superintendents of Police, Deputy Superintendents of Police and other officers and constables are all untrained men in the art of discovering crimes?

The Hon'ble Khwaja Sir NAZIMUDDIN: But the case of secret conspiracies is quite different, and may I just tell the Leader of the House——

Mr. SARAT CHANDRA BOSE: I am not yet the Leader of the House. (Laughter.)

The Hon'ble Khwaja Sir NAZIMUDDIN: I am sorry—I meant the Leader of the Opposition. The idea of employing Intelligence Branch people, who are specially trained, is nothing new. Such specially trained police are employed by every foreign Government.

Dr. NALINAKSHA SANYAL: Yes, by "foreign" Government.

Babu NARENDRA NARAYAN CHAKRABARTY: On a point of information, Sir.

Mr. SPEAKER: Order, order. I think there have been enough of interruptions.

I shall now put the amendment to vote.

The question before the House is that the motion of Mr. J. C. Gupta, that the demand of Rs. 2,07,89,000 be granted for expenditure under the head "29—Police" be reduced by Rs. 100.

The motion was put and lost.

The motion that a sum of Rs. 2,07,89,000 be granted for expenditure under the head "29—Police" was then put and agreed to.

The House was then adjourned for 20 minutes.

(After adjournment.)

"27—Administration of Justice."

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 77,14,000 be granted for expenditure under the head "27—Administration of Justice."

Sir, at the outset, I ought to tell the House what the exact budgetary position is with regard to this demand. Honourable members will notice from page 17 of the red book supplied to them that Government receive a sum of Rs. 2,90,00,000 out of court-fees and stamps. Deducting the money expected to be received from stamps, the receipts from court-fees are expected to come to about Rs. 2,05,00,000. Out of this amount, my department spends Rs. 1,02,00,000. We make a clear net profit of a crore and three lakhs of rupees by the working of the administration of justice. This system of taxation is in vogue for the last 100 years or so and on the saving of this department depends the expenditure of other departments, especially Education, Sanitation, Public Works and like subjects. So, if any member of this House is under the impression that our source of income can be attacked he will have to consider the full implication of the budget. Roughly speaking, I can tell that my department supplies three crores of rupees or Rs. 290 lakhs: then Land Revenue supplies another Rs. 3½ crores: Excise gives you a crore and 50 lakhs. It used to be more but it is now giving one and a half crore; other sundry receipts will give you another one crore. So really speaking the income of the Government of Bengal from all these is just Rs. 9 crores. It has been augmented

by the Government of India by additional Rs. 2 crores or so, making a total of Rs. 11 crores. So, if you will think of your own receipts and expenditure you will find that you cannot touch any item of your income. The moment you touch the income your expenditure will also be involved. If you really think that any source of income that comes to you now ought to be revised you will have to think at the same time whether you have other source of income in the province which you ought to touch and which you ought to tax. I would simply tell you at this stage that if you touch these sources you will have to find other sources of income, and I would appeal to you to consider this statement of mine when you discuss your cut motion. I appeal to you in all seriousness to think that you are responsible people and have come here not only to think of Bengal only but the whole of India. If you really cannot think alike with the other parts of India you will be simply laughed at. I hope that a sense of goodness prevails in the debate and if we have constructive criticisms from the Opposition, it will be of great assistance to us really in improving the administration. With these words I move my motion.

Mr. DHIRENDRA NATH DATTA: May I move the cut motion on behalf of Babu Nagendra Nath Sen who has been unavoidably absent?

Mr. SPEAKER: I will call upon the Leader of the European Group to initiate the debate on "Justice".

Mr. DHIRENDRA NATH DATTA: May I know if at this stage the honourable member can initiate a discussion without moving the cut motion?

Mr. SPEAKER: It is perfectly in order. As soon as the motion is moved that motion is in itself open for discussion; after that you can take the motion itself or an amendment. As the European Group wanted to initiate the discussion, I call upon Mr. Brasher to speak.

Mr. F. C. BRASHER: Mr. Speaker, Sir, may I explain to the House that I am not speaking on a cut motion but on the demand for grant itself. May I say at the beginning that I find my task much more congenial than I thought would be the case. During the last budget sessions, I ventured to make various suggestions and various criticisms as regards the administration of justice, but I would hesitate to suggest that those criticisms of mine were in any way responsible for the considerable improvement, if I may term it so, what we find in the present demand. I think that the present demand represents a genuine desire on the part of the Government to make some progress

in the improvement of the administration of justice. Therefore, on behalf of the European Group, I have risen to support the demand. I observe from the budget esimate that there is an increase in the amount allocated for new works. On the last occasion, I pointed out to the House that one of the most scandalous things at the present moment was the disgraceful conditions under which the judiciary are called upon to work.

I cited on the previous occasion the standing example of the Bankshall Street Police Court. Although I had in mind other buildings also. I can assure the House that during my visits to the various mufassil stations I have found there many court buildings which can compete very successfully with the Bankshall Court. I can perhaps give a small illustration of what I mean. I had occasion some 8 years ago to visit Asansol and appear before the Subordinate Judge there. I was able to identify his court with the utmost ease because it was the worst, the dirtiest and the most insanitary building in the neighbourhood. About three years ago I again visited Asansol and my local pleader told me that he would meet me outside the Subordinate Judge's Court. When I went to the same building as before there was no sign of my pleader; I saw a large handsome building further up the hill and I knew that that could not be the Subordinate Judge's Court. But, Sir, I was wrong: it was the Subordinate Judge's Court and it was as different from the old court as chalk is from cheek. I suggest that what has been done in one case can be and should be done all over the country. I do not know whether, during the course of this debate, attacks will be made on the prevailing pay of the judiciary as was made in the previous session and as have been made in many other sessions. If such attacks are made I would ask the House to ignore them and to believe that the pay which is given to the judiciary, and in particular to the subordinate judiciary has been reduced certainly to the lowest possible limit and in my humble opinion far below that limit. The judiciary should be men of education and integrity and, if they fulfil these qualifications then I venture to suggest that any suggestion that the pay which they receive is too large is both ungenerous and unjust.

On the last occasion I suggested that a number of stenographers should be employed for the purpose of recording evidence. Now notice was given of the introduction in this session of a Bill to amend the Civil Procedure Code. It seems to me that it was a most excellent proposal because it would give the Court power to record evidence by means of a shorthand writer and I would suggest that this Bill should have the fullest support of the House. I do not know why that Bill has not yet been introduced. I would suggest to the House that the Bill should be proceeded with at the earliest possible moment and that the Hon'ble Minister should favour us with an explanation as to why the Bill has not been brought in.

The next point which I would like to make is this. Again on the last occasion I suggested that it was wrong that Government should regard the Administration of Justice as a money-making concern and I was horrified when this evening the Hon'ble the Minister in charge with that well-known and charming smile of his announced to the House that he has made "net profit of over 1 crore". (Cries of hear, hear.)

I know that the Hon'ble Minister did not mean what he said but I think it was a most unjudicial and injudicious remark to make. The House was amused when I said that I knew the Hon'ble Minister did not mean what he said, but I am a charitable person and I always put the best construction on any remarks. It is perfectly true that the Administration of Justice shows a large surplus of revenue over expenditure and the point which I have endeavoured to make in the past and the point which I am endeavouring to make now and, so long as I am a member of this House I shall continue to make, is that, because the administration of justice shows a surplus of revenue over expenditure it means that that surplus should first of all be employed in the improvement of the administration of justice in every possible respect. If we can have an efficient system of administration of justice, if our courts, whether Civil or Criminal, can be looked upon asmonuments of efficiency and integrity I feel that we should be doing a very great deal towards the improvement of conditions in the province as a whole. After all, it must be remembered that the administration of justice is a thing which affects us all. It does not merely affect those who seek justice; it affects every man, woman and child and I doubt whether if we were to ask the man in the street whether he looks upon the Courts with respect he would answer in the affirmative. I would place the blame for that not upon the judiciary itself, but upon the system which regard the administration of justice as a profit-making concern.

I have spoken in favour of the demand and I have said that I believe it represents a genuine desire on the part of the Government to improve the department and to remove the difficulties under which the administration of justice is carried on. But let me say this; I observed the Hon'ble Minister in charge smile when he heard me congratulating him. I realise that congratulations are very seldom perceived by Government. But let me not allow the Minister to imagine that on the next occasion I shall speak in exactly the same terms and in exactly the same strain. I trust that this demand is only the beginning of a much needed reform in this most unfortunate department. I call it an unfortunate department because, although it produces a very substantial revenue for Government, it obtains a very meagre return. I can only presume that it has been ignored until now by Government because Government has rightly felt that, welcome though the revenue

itself may be, there is something indecent and immoral in the spectacle of profit being made out of the administration of justice.

Mr. DHIRENDRA NATH DATTA: On behalf of Babu Nagendra Nath Sen who is unfortunately absent I beg to move that the demand for a sum of Rs. 77,14,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100 to raise a discussion about the excessive charges levied for the service of processes and poundage fees, and affidavits.

In moving this motion I shall place before you certain figures which will speak for themselves. In reply to a question put by my friend Mr. Birat Chandra Mandal in the last session of the Assembly, the Hon'ble Minister in charge of the Administration of Justice was pleased to state that in the year 1934 the amount realised as process fee was Rs. 25,25,204 and the amount paid to the process-servers as pay in that particular year was Rs. 8,70,934, that is, even less than 1/3rd of the amount realised as process fees. Further, in the year 1935, the amount realised as process fee was Rs. 26,89,254 and the amount paid to the process-servers as pay was Rs. 8,27,938. In the year 1936 the amount realised as process fee was Rs. 27,34,378 and the amount paid to the process-servers as pay was Rs. 8,12,076. Therefore it will appear that the amount realised as process fee is on the increase and the amount paid to the process-servers as pay is on the decrease. The Hon'ble Minister in charge of the Administration of Justice has been pleased to state in the beginning of his speech while moving this demand that this is the amount which is realised as process fee not for the purpose of Administration of Justice, but for supplementing the income of Government in other directions. He says that this amount is paid for sanitation and other nation-building departments. Certainly this amount is not earmarked for the nation-building departments. On the contrary, I say that this amount is paid for the police and for spies and for keeping up the Intelligence Department. This, Sir, is with regard to process fees.

With regard to affidavits, Mr. Speaker, it is well known that under the High Court Circular affidavits are called for on flimsy grounds. If a particular litigant happens to be absent even for 5 minutes and comes to the Civil Courts after 5 minutes, he has to file a petition and the Munsif or the Judicial Officer calls upon him to explain his absence or to explain the delay of 5 minutes by another petition. And not only this, Sir, he has to support this petition by swearing an affidavit. This is what the litigants are called upon to do. Then, under the High Court Circulars and Orders, originally, when the decree-holders wanted to purchase a property in execution of a decree under Order 21, Rule 72, under the old Circular

he has to file a petition asking for permission, but under the new Circular, not only has a petition to be filed but he has also to swear an affidavit in support of the petition. I submit that in this way the litigant public are really robbed of the little money they had with them when they came to the civil court for redress. With regard to the poundage fees there also the amount has been increasing. So it can be said that as a matter of fact *zoolum* is practised upon the litigant public with regard to process fees, poundage fees and with regard to affidavits. Last year, while moving a cut motion on the Administration of Justice I referred to this fact, but as a matter of fact the High Court Circulars and Orders still remain in force, and in reply to a question put in this session, in this House, it was stated that a report has been submitted by the Special Officer who was appointed to enquire into the High Court Orders and Circulars, and the report is still under the consideration of Government. I do not know, I am not quite sure when the report was submitted by the Special Officer and when the consideration thereof will come to an end, but I do know that in matters like this which affects the fiscal policy of the Government it will remain under the consideration of Government for a very long period indeed, or may be till the Doomesday, as my friend says! Then in these matters the general policy of Government is to increase the cost of litigation and they have done it by increasing the amount of court-fees, by increasing the amount of process fees and by increasing the amount of poundage fees, and they are doing it by calling for affidavits in cases where affidavits cannot be called for at all. I know that Government cannot reply to the question why the affidavit is called for in cases where affidavits cannot be called for. The object of Government is to increase the cost of Administration of Justice and to increase the burden upon the litigant public when they come to the civil court for redress. Before I sit down, Sir, I want to make some general observations on certain matters, and that is with regard to the corruption and bribery that is going on in civil courts from time immemorial. It is a practice—it can be called a license and it is an "abwab" that is being realised by the ministerial officers for a very long period of time in the civil courts as well as in the criminal courts. I say that with the knowledge of the presiding judges this corruption and bribery is going on; not only with the knowledge of the presiding judges but it is going on with the knowledge of the Government themselves. This Government during the period of one year that they are administering the country have not made it a point to put a stop to this corruption and bribery that is going on. This has tainted the Administration of Justice and it is a thing in regard to which the Government and the Minister in charge of the Administration of Justice ought to make it a point to see that bribery and corruption in the civil and criminal courts is put a stop to. They have not issued any Circular to officers

to see that this corruption and bribery is stopped. (Cries of "shame", "shame".)

Then, Sir, before I sit down I would refer to another matter with regard to the General Administration, namely, to the recruitment of officers. Last year I criticised this budget with regard to recruitment. I criticised how junior I.C.S. officers were placed in charge of districts to hear appeals from experienced Subordinate Judges, and I criticized how Subordinate Judges who have always dealt with civil cases during the whole of their career, are at the fag end of their service, made Assistant Sessions Judges to try sessions cases dealing with the lives of the people, and I also criticized how the Munsifs were recruited nowadays without having any training in law whereas previously they had to practise in civil courts at least for 3 years before being appointed as Munsifs. But now, Sir, as soon as he passes the law examination, he is considered fit to sit as a Judge in a civil court, dealing with the intricacies of the civil law. This system of recruitment should be changed, and I want to hear what is the policy of Government with regard to the recruitment of their judicial officers. Before I sit down, I must of course refer to the high salaries that are paid to the judicial officers.

When we speak of a cut in salary, the Hon'ble the Finance Minister will fall upon us and say that retrenchment is impossible and that as there is a revised scale of pay, the pay cannot be further reduced. But we are of the opinion that having regard to the present condition of the country the pay of judicial officers can be further reduced. I suggest, but I do not know whether my suggestion would be accepted—still it is my duty to suggest—that the pay of judicial officers should not be more than Rs. 500, and that the scale of pay should be from Rs. 150 to Rs. 500. I think, for an Indian this pay cannot be considered to be inadequate, especially in view of the fact that the judicial officers live in mufassil towns where the cost of living is very cheap. I know, in my own district of Tippera, in the outlying portions of the district—in Nabinagar—the cost of living is so cheap that anybody can afford to live there with Rs. 100 per month. Having regard to the present poverty in the country, I would therefore, suggest that the scale of pay of munsifs should be further reduced.

Before I sit down, I shall refer to one thing more, and that is, that these judicial officers oftentimes treat the litigant public and the lawyers in a way as if they themselves are the masters and not the servants. The public servants should be made to feel that they are the servants of the public and not their masters. The atmosphere must change, and it is the duty of the Government to issue circulars to these officers to say that in their dealings with the litigant public and with the lawyers they must behave in a way that people may feel that, as

a matter of fact, they are not the masters but the servants of the public.

With these few words I commend this motion to the acceptance of the House.

Mr. IDRIS AHMED MIA: মাননীয় সভাপতি মহাশয়! বাংলার বহু লক্ষ প্রজার উপর অত্যাচার করার জন্য, তাদের ভিটেমাটি উচ্ছেদ ক'রে তার উপর ছাগল চরাবার ব্যবস্থা করবার জন্য তাদের হাল-বলদ নিলাম ক'রে, তাদের যা কিছু ছিলো সর্বস্ব হারিয়ে পথের ভিখারী করে দেবার পুণ্য যারা অর্জন কোরেছে সেই পিয়নদের বকশিসের জন্য দেখছি ত্রিশ হাজার টাকার বরাদ্দ করা হয়েছে। যদি বাস্তবিক একটু বিচার ক'রে দেখা যায় এবং যদি বাংলার মহাজন আর জমিদারকে কাষ্ঠ ও বংশদণ্ডরূপে কল্পনা করা যায় তাহলে দেখা যাবে তার উপরকার লৌহখণ্ড হলো আমাদের এই পিয়ণেরদল। এদের অত্যাচার অনাচারের কিছু অন্ত নাই। উকিল, মোক্তার, জমিদার প্রভৃতি যত সব বড় লোক সকলেই এদের চিনেছেন। এদের অবস্থা ভালো নয় একথা বোল্লে মিথ্যা কথা বলা হবে। ওদের অবস্থা বাংলাদেশের অনেকের অবস্থার চেয়ে ভালো। ওদের অনেকের মাল ইটের বাড়ী আছে। কিন্তু ওদের ইটের মাল রংএ প্রজার রক্তের রং মিশানো। সুতরাং ওদের জন্য আরো টাকার ব্যবস্থা কোরতে অস্বীকার কে কোরবে? বিশেষতঃ বাংলার বরপুত্র আমাদের পুলিশপ্রভুদের বেতন বরাদ্দের ঘোড়দৌড় আমাদের এই পার্লামেন্টের ময়দানে একটু আগেই যখন নির্বিঘ্নে হয়ে গেল তখন পিয়ণদের কুকুরদৌড়ের বাধা কি? পিয়ণদের বেতন বাড়াবার জন্য ৩০ হাজার টাকা ১৩।১৪ কোটি টাকার মধ্য থেকে গেলে কিছুই আসে যায় না, কিন্তু আমাদের ভেবে দেখা উচিত বাংলাদেশের যে গরীব শিক্ষকদের আমরা দুটাকার পরিবর্তে ৪৲ টাকা দিতে পারি না, সেই দেশের কয় জন পিয়ণের জন্য আমরা অত টাকা খরচ কোরতে পারি কি না? আমার মতে এই ৩০ হাজার টাকা খরচ বৃদ্ধি করা অসঙ্গত হবে। তবে একথাও জানি যে এ বৃদ্ধি এখনই হবে। তবে মাননীয় মন্ত্রী মহাশয়কে একটা অনুরোধ কোরতে পারি কি? —এই টাকা বৃদ্ধি দেওয়ার আগে পিয়ণদের কাছ থেকে একটা কিছু লিখিয়ে নিতে হবে, এবং বোলতে হবে যে বাংলার প্রজার কাছ থেকে ঘুষের ব্যবস্থা একটু কম পরিমাণেই দাবি কোরবে। আশা করি আমাদের মাননীয় বিভাগীয় মন্ত্রী মহাশয় এই কথাটার দিকে একটু লক্ষ্য রাখবেন। আমি ইচ্ছা কোরেছিলাম যে জিলার বিভাগের অবিচার সম্বন্ধে বড় রকমের একটা কিছু অভিনয় দেখাবো, কিন্তু এখন দেখছি তা দেখিয়ে কোন লাভ নেই। অনেক বড় বড় অভিনয় হোয়ে যাচ্ছে এবং হবে কিন্তু আসলে কোন প্রতিকার হচ্ছে না। কিন্তু এই সব অভিনয়ের পরিণাম সম্বন্ধে আমি একটু ভেবে দেখতে বলবো—আমাদের বন্ধুদের। যাদের কাছে বড় বড় কথা বোলে এখানে এসেছি তাদের কাছে যখন ফিরে যাবো—এই পিয়ণদের বেতন বৃদ্ধি দেখে তারা যখন বোলবে— District Board থেকে যে শিক্ষকদের বেতন ২৲ টাকার জায়গায় ৪৲ টাকা দিতে পারো না, তাদের সম্বন্ধে কি বৃদ্ধি কোরেছ? তখন কি উত্তর দেবেন?

আর একটা কথা বোলেই আমি শেষ কোরতে চাই। আজকাল আমাদের জিলার বিভাগের জোকিম নাকি মনের পরিবর্তন হয়েছে, এবং আমাদের দেশের লোকদের নাকি তারা কিছু কিছু খাতির কোরতে শিখেছে। আমি একথাটা মোটেই বুঝি না। অল্পদিন আগের কথা এক জমিদার মহাপ্রভু আমাদের কাছ থেকে আপোষে খাজনা না নেওয়ার ফলে খাজনার নালিশ ও ডিক্রি হয়। টাকা ওসুলের পরে ১৮০৲ টাকার জায়গায় একশো টাকা দিয়ে একমাস সময় চাওয়া হয়েছিল, তা

দেওয়া হয় নাই। নীলাম করা হয়েছিল। আমি কেবল এইটে দেখাবার জন্য একখাটা বোলছি যে একজন সামান্য মুন্সেফের কাছে দরখাস্ত কোরলেও, প্রজার দাবি অর্থসঙ্কটকালেও একবারেই অগ্রাহ্য হয়। এ সব নথিপত্রের কথা। মালদহ জেলার নবাবগঞ্জ মুন্সেফ কোর্টের নথিপত্র খুজেই এটা দেখা যাবে। অথচ বিচার বিভাগের অনেক কর্ম্মচারীর বেতন জাপানের প্রধান মন্ত্রী যা পান তার চেয়েও বেশী। তবু যে পরীবরা তাদের বেতন যোগায় তারা অধিকার নীরবে সহ্য কোরে যাচ্ছে।

Mr. DEBI PROSAD KHAITAN: Mr. Speaker, Sir, having carefully listened to the speeches delivered by my friend Mr. Brasher and my friend Mr. Dhirendra Nath Datta, I feel amused as to whether we are to treat the Budget in a piece-meal fashion, or we are to treat it as a whole. In fact Sir, I feel that the latter portion of Mr. Brasher's speech and the first portion of Mr. Dhirendra Nath Datta's speech cancel each other. Because while Mr. Brasher asked for an increment in the salary of the judicial officers Mr. Dhirendra Nath Datta wants that the revenue realized by the Government in the Department of Justice should be lowered in order that salaries instead of being increased for judicial officers they should be decreased which he openly stated at the end of his speech.

Mr. F.C. BRASHER: On a point of personal explanation Sir. I did not ask for an increase in salaries. I deprecated a further decrease.

Mr. DEBI PROSAD KHAITAN: The impression created in my mind was that Mr. Brasher not only asked for an increase in the salary of the judicial officers, but also asked for large amounts of money to be spent on Court buildings and other objects connected with the administration of justice. Sir, the manner in which I look at the Budget is that this House has got to vote large amounts, and the Ministers have got to spend large sums of money on nation building activities. Where is the money to be obtained for the purpose of improving sanitation, for the purpose of developing industries, for the purpose of improving agriculture and many other beneficent measures that we are all clamouring for. We have got to remember that the Budget of this Province has got its own traditional history. It has been framed in such a manner that while revenue is realized from certain Departments, it has got to be spent on other Departments which apart from Police may be called the nation building activities of this Province. Sir, I hope the Opposition will seriously consider the steps that they are going to take if they are going to vote for the motion that has been put forward by Mr. Dhirendra Nath Datta. I have not the slightest doubt that each Party or Group in this House may reasonably expect to form the Cabinet in order to run the administration of this Province. Do the Opposition Sir really

feel, or can they really feel that by decreasing the revenue they can carry on many of the beneficent activities upon which they have set their hearts. They would have increased revenue in the same manner as the other provinces in this country are seeking to do, but certainly they cannot do that by reducing the well-established channels of revenue that we have already got. Sir, is not the Government seriously criticized for not having been able to make primary education free and compulsory in the Province? Is not the Government criticized for not being able to fight malaria in as strong a measure as they ought to do? Is not the Government criticized for not improving agriculture and for not spreading industries for the purpose of increasing the resources of the people at large? Sir, to say that making profit out of the administration of justice is immoral is not correct. I certainly cannot agree with my friend Mr. Brasher. Would he in substitution thereof like that fresh taxation should be imposed upon trade and commerce and industries? If he does not like that, will he explain to the Government his own scheme for the purpose of increasing the revenue of the province by other means in order that the beneficent activities of the Government may be carried on. Sir, whether it be the European Group, or whether it be the Opposition Party, I doubt very much whether they can suggest easily other channels of taxation from which the beneficent activities which are necessary for this province may be carried on. It is quite true that the administration of justice brings in a net revenue of over one crore of rupees. Sir, is not that amount very much required for the other activities of the Government? If this revenue be lost, would not taxation be imposed by other methods in order that the Government of the Province may be carried on? Sir, what I would suggest is that instead of criticising these small things by which the Government is carried on, it is desirable that we should join our hands together by pressing the Government in order that they may take more speedy measures for the purpose of pushing the nation building activities in the Province. It is only by that means that we can improve the lot of the cultivator. It is said that litigation is very costly in this country. I have no hesitation in saying that it is not a bad thing for this Province that litigation is costly. If litigation became cheaper, we would have seen much more of undesirable litigation in the province than we have got at the present moment. On the one hand it is said when the certificate procedure is put forward that it is an easy means for the purpose of oppressing the tenants. If litigation is made cheaper would not the much-abused money-lenders, the much-abused zamindars bring in more suits and litigation against the much oppressed tenant and the poor people of the Province? Sir, it is the cost of the litigation that keeps the litigation down to a certain extent, and I hope Sir the House will fully consider this question from all angles and give their vote in pursuance of a conclusion which they would

arrive at by considering the question more seriously than what I am afraid they have done.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, I had no intention of intervening in this debate but for a decision of the Hon'ble Mr. Justice Ameer Ali which has been reported in to-day's papers. His Lordship Mr. Justice Ameer Ali has been entrusted with the task of looking after the cases of guardianship and trusteehip in the High Court of Calcutta. You are probably aware that guardianship cases involve the closest possible scrutiny on the part of the Judge if he is at all to discharge the very serious responsibilities that are placed upon his shoulders by reason of the relevant Statutes. The King stands in *loca parentis* in relation to infants in the realm, and the Court has got to discharge its duties as the representative of the King. His Lordship Mr. Justice Ameer Ali in many decisions has already pointed out that the arrangement in the Calcutta High Court for the purpose of discharging these responsibilities on the part of the Court is most inadequate. There is no special officer to look after the interests of the infants, to scrutinize the accounts submitted from time to time by the guardians, to look after their welfare, to look after their health and education and in fact the entire management which devolves upon the Court so far as the person and the property of these infants are concerned. And it must be said to the credit of this Hon'ble Judge that he has spent spare hours in looking after the interests of the infants placed under the care of the Court. He has attended Court on Saturdays, he has done extra work in Chambers in order to cope with the work so that these infants' estates might be spared the enormous cost which it would otherwise involve if they are to be represented at every step by attorneys and counsel. All this burden he has borne upon his shoulders willingly, and for the last one year or more His Lordship is raising this cry, if I may use the expression, in his judgments that it is high time that the Court had appointed one or two special officers for looking after these cases and the interests of the infants. So also in the case of trustess it requires any amount of time on the part of the Judge to look into these matters if he is at all to discharge his duties. The result is, as His Lordship pointed out in the judgment which has been reported in to-day's papers, this work has necessarily to be done in a haphazard and slipshod manner which would otherwise require very long, very careful and very laborious scrutiny

His Lordship has pointed out that he asked for an officer from the Government of Bengal who have replied that they either have not got the money or if they had, they were not able, probably to get a man with the necessary qualifications. His Lordship has controverted these objections. In the judgment reported to-day he has said that if right sort of people are set to choose the right sort of man there will be no difficulty to find out one. I think in one Guardianship case involving

a number of Bengali children his lordship said that after twelve days of laborious work in court he had been able to arrive at a conclusion, which an intelligent Bengalee lady would have reached in less than an hour if she had been placed in charge of the work of scrutinising the requirements of those children. That is, what he pointed out, a cry in despair. His lordship's judgment to-day concludes with these significant words or some such words "we are selling justice and selling it dear". We cannot find money for this most important and most necessary purpose. Now that I have found this opportunity, I would draw the attention of the Hon'ble Minister in charge and ask him "Will he bestow some attention upon this very important part of the work which is being carried on in the Calcutta High Court?" I do think that every member here will echo the sentiments which have been expressed in his lordship's carefully worded judgment in which he points out that "where there is a will there is certainly a way of finding out not only the necessary money from the enormous surplus yielded by the law courts but also the suitable persons with the necessary qualifications and necessary competence. I only raise this note here on the floor of this House on this occasion so that Government will take it up seriously and tackle this problem in right earnest.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The cut motion that was moved by my friend Mr. Datta runs thus—

> "Excessive charges levied for the service of processes and poundage fees, and affidavits"

and so, relying on this motion, speeches have been delivered in this House and I leave it to you, Sir, to judge whether it is necessary for me now to answer all these speeches.

Dr. NALINAKSHA SANYAL: Left to Speaker to decide?

Mr. SPEAKER: Order, order, I do not think I need take any time to deliver my judgment. I can do so immediately and my judgment is this that when a cut motion is moved it is not only the cut motion but the substantive motion which you have moved, is open to discussion by the members of the House, and as such, if a gentleman happens to catch my eye, he may speak not only on the cut motion itself but on the different aspects of the Administration of Justice; he is perfectly in order but whether he requires a reply from you and whether you will reply, is a matter you can say and not I.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, now that the Hon'ble Speaker has said that everything is in order, I have to reply the speeches one after another. Sir, my friend Mr. Brasher has said that we should spend more money for court buildings.

I fully agree with him, after having gone through many buildings in Calcutta and outside, that our court buildings should be renewed in many cases. Some of the buildings were erected a hundred years ago and some require thorough overhauling. So, my friend Mr. Brasher is right when he says that a lot of money of this department should go for a building programme, and I can tell you this much that so far as our Finance Minister is concerned, he has a complete building programme now. He has a complete programme before him and he is thinking of building——

Mr. SANTOSH KUMAR BASU: Finish your own programme first.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Not only the court buildings but all sorts of buildings that are necessary for the Government of the country and renewing many of them (hear, hear).

Rai HARENDRA NATH CHAUDHURY: All sorts of buildings!

Mr. M. SHAMSUDDIN AHMED: We cannot hear what you say.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: If you can't hear me, please keep quiet.

Mr. M. SHAMSUDDIN AHMED: Please speak up.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I cannot speak louder. I am speaking the loudest (hear, hear). So I think my friend Mr. Brasher will be quite satisfied to know that the Government is thinking very seriously of improving the court buildings. He wants to know something about stenographers. The Bill is ready and it has not been brought before the House. He has been putting questions to me as to why this Bill has not seen the light of the day. The Bill will come in due course and then it will see the light of the day. (Laughter.) I know my friends are quite anxious to see the Bill again, and to pass it. So there will be no difficulty when the time comes for me to bring in a Bill like that and to get it passed. Then, my friend Mr. Dutt——

Mr. M. SHAMSUDDIN AHMED: Will it come by the back door?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Then my friend Mr. Dutta has given me a lot of interesting facts. He says that we have increased the taxation from year to year quite unjustifiably. Probably my friend ought to know that this taxation

is not confined to Bengal alone (hear, hear). The same rate is levied throughout India. It is the same rate that prevails everywhere.

Mr. PRAMATHA NATH BANERJEE: No.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: One of my friends simply says "no" as if he knows everything. I can tell him from the facts that I have gathered, that he is not right. I would now refer to the facts that have been supplied to me by the Finance Department. Here you will see that the charge for the service of processes in Bengal, Bombay, Madras and the Punjab, Allahabad and Bihar is the same. Rather in Bihar and Orissa it is Re. 1-8; in Bengal on the other hand, it is only one rupee. In Madras it is Re. 1-4; for every person in excess the fee is 4 as. in Bengal, 8 as. in Bombay, while in other provinces it varies from 5 to 6 as.

Mr. PRAMATHA NATH BANERJEE: What are you speaking about?

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur: About process-fees.

Then comes the case of seizure of property under an order of attachment. Here, in Bengal it is Re 1, in Bombay it is Rs. 2, in Allahabad it is Rs. 4, and in Bihar and Orissa it is Re. 1-8. Then for proclamation, in Bengal the fee is just Re 1; in Bombay it is Rs. 2; and in Bihar and Orissa it is Rs. 4. As regards execution of decrees by arrest of persons, the fee in Bengal is Rs. 4; in Bihar and Orissa it is Rs. 6. Then as regards sale proclamation order, the fee in Bengal is Re. 1, in Bombay it is Rs 2, in Bihar and Orissa it is Re. 1-8. So, from the figures that I have given, you will find that our rate is not higher than the rate of any other province. On the contrary, I submit it is much lower.

As regards the peons, I may say that they are recruited from a better class of people, not in Bihar and Orissa but in Bombay and other places. I admit that we have not been able up till now to pay a better salary to the peons and for that you cannot blame me. If I now say that I should like to have some peons recruited from the educated classes to improve the status of the peons there will be laughter. I say, Sir, that the House is not, really speaking, prepared to improve the conditions of these people. What can I do? I have not to rely on my friends on the opposite side (Loud laughter) for any improvement in the lot of the peons, but my tenure of office depends on the votes of members on this side of the House. (Loud laughter.) If you ask me to improve the status of the peons by spending some more money under the proper head, by friends on this side will not uphold me in my efforts. It is not at all feasible to

improve the status of the peons. Such being the position, Sir, you cannot, as some other provinces have done, improve the pay and prospects of the peons and recruit them from a better class of people. It has been suggested that we should give up a portion of our income. It is very easy to say so, but is that a practicable proposition? I leave it to you to decide.

Mr. SANTOSH KUMAR BASU: That we have decided already!

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not think that anybody in this House believes seriously that any portion of Government's income should be devoted to improve the lot and status of the peons, while that fund could be utilised for better purposes. My friend, Mr. Khaitan has put the position before the House very forcefully, but I, again submit, Sir, that it is not a practicable proposition. That being so, I do not believe that the House is really anxious to press a cut motion like this. I hope that after what you have heard from the various speakers—

Mr. SANTOSH KUMAR BASU: What about my point?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: As regards the Hon'ble High Court, I can add one more instance to what my friend has said. I can tell him this much—I believe that something ought to be done to save these poor minors from the hands of injudicious and unscrupulous guardians. As regards the suggestion that my friend has put forward, I can tell him from my experience of my own district that two boys of a family, whose income was Rs. 12,000 a year, had their mother appointed as their guardian on the death of their father, and after 3 or 4 years' guardianship the mother lost every bit of the property left by the father, and now they are so many beggars living on the patronage and charity of the people of the locality. This case, I can tell you, has been very prominently forced upon the notice of the local people, and I hope that sooner or later we shall be able to announce how Government propose to control the property of minors.

Mr. SANTOSH KUMAR BASU: What about the appointment of a Special Officer for guardians appointed by the Calcutta High Court? You have not replied to it yet? (Laughter).

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: My friends are laughing, but they ought to know that this is a technical matter, and I must get the advice of my Secretary. So far as High Court's affairs are concerned, I can assure the House that Government will look into this matter. (Cries of "Hear, hear").

Mr. SPEAKER: I think you have reached your time limit, Nawab Saheb. Do you want to continue?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I shall be thankful if you allow me a few minutes more.

Mr. PRAMATHA NATH BANERJI: What about bribery and corruption?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: As regards that I can tell you this much that here is a chit which my friend Mr. Roxburgh has just handed over to me. (Laughter.) As regards the High Court they have issued many circulars dealing with corruption; so really speaking my friend simply wanted from me some circulars and the circulars have been issued by the High Court. All these courts are under the direct control of the High Court and the High Court has already sent circulars. If that satisfied my friend I am also satisfied, but if on the contrary he still persists and is not satisfied I may tell him that if my friend takes proper care of his own clerks and other lawyers do the same this corruption will cease. I may inform you that the corruption is due to the clerks of many lawyers; so if the lawyers' clerks are responsible for this corruption why should not the lawyers take the responsibility: why put that responsibility on the High Court? The High Court is punishing all those who are guilty of any offence. So after this statement I do not believe that any gentleman will be justified in saying that the corruption is supported by the Government——

Mr. SANTOSH KUMAR BASU: But the ladies are not convinced.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: If they are not convinced I cannot help it. In a place like this where everything is being watched by the whole world they must be serious in matters like this. If they think that corruption exists in any part of the country, it ought to be the look-out of one and all of us to get rid of that corruption from the country. So I say in all seriousness that we are being watched by the whole world, and this sort of thing ought not to be lightly treated. I can assure you that if any instance of corruption is actually brought to the notice of our officers and if they do not take any action I would ask my friend to take this notice from me that if they would bring forward such a case to me and if I do not send the culprit to jail I will resign my seat. (Hear, hear and laughter)——

Mr. SYED JALALUDDIN HASHEMY: Can a Minister send a man to jail?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes, if he is guilty. (Laughter.) So you can take this assurance from me that if you actually bring forward any case of corruption before me and if it is not properly dealt with I will resign my seat. (Hear, hear.)

I think the matter has been sufficiently dealt with and I hope you will excuse my department and vote for the grant.

The cut motion of Babu Nagendra Nath Sen as moved by Mr. Dhirendra Nath Datta was then put and lost.

The motion that a sum of Rs. 77,14,000 be granted for expenditure under the head "27—Administration of Justice" was then put and agreed to.

Adjournment.

The House was then adjourned till 4 p.m. on Thursday, the 17th March, 1938, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 17th March, 1938, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, eleven Hon'ble Ministers and 224 members.

STARRED QUESTIONS

(to which oral answers were given)

Recruitment of Head Masters and Assistant Head Masters during 1930-37.

*226. **Mr. JATINDRA NATH BASU:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) How many persons now serving in the Education Department have been directly appointed from outside as Head Masters and Assistant Head Masters in the Government high schools in Bengal from 1930 to 1937?

(*b*) Were any Assistant Masters, who had passed efficiency bars after several years' proved service and who were recommended to the posts of Assistant Head Masters, available at the time of such appointment?

(*c*) How many Assistant Masters are there now, Hindus, Muslims and others, who have the necessary qualifications for promotion to the post of Assistant Head Masters?

(*d*) Will the Government consider the desirability of considering the claims of the men in service before direct recruitment is made?

(*e*) Have any rules been framed for recruitment of Head Masters and Assistant Head Masters in Government schools?

(*f*) If so—

(*i*) how many direct appointments are to be made pursuant to such rules; and

(*ii*) how many of them have in fact been made from 1930 to 1937?

(*g*) What are the qualifications required for such direct appointments to the post of Head Masters and Assistant Head Masters?

(*h*) Have the requirements of those rules been complied with in the case of the direct appointments made from 1930 to 1937?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Two and seven, respectively.

(*b*) Yes.

(*c*) On the occurrence of vacancies in the rank of Assistant Head Masters, the Director of Public Instruction considers the claims of suitable Assistant Masters and after a careful consideration appoints the most suitable persons. With regard to vacancies in the post of Head Master, Government appoint on the advice of the Public Service Commission. In view of the above, it is impossible to supply the information wanted.

(*d*) The claims of men in service are naturally considered before Government decide to recruit outsiders.

(*e*) Yes.

(*f*) (*i*) As regards Assistant Head Masters, the rule is that it is open to the Director of Public Instruction to make not more than one direct appointment each year. As regards Head Masters, Government may decide in each particular case whether the vacancy should be filled by promotion or by direct recruitment.

(*ii*) Answer to (*a*) may be seen.

(*g*) Good academic and professional qualifications with evidence of capacity for control and development of corporate life of a school, power of maintaining discipline, strong personality and satisfactory record of teaching experience.

(*h*) Yes.

Dr. H. C. MUKHERJI: Will the Hon'ble Minister be pleased to state with reference to (*f*) (*i*) whether when there are more vacancies than one those extra vacancies are filled up by recruitment from Assistant Masters?

The Hon'ble Mr. A. K. FAZLUL HUQ: When there are more vacancies than one the case is dealt with after consultation with the Director of Public Instruction according to the exigency of the case.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether all the vacancies for the posts of Head Masters have been filled up according to the advice of the Public Service Commission or whether the Government have in many cases allowed supersession thwarting the advice of the Public Service Commission?

The Hon'ble Mr. A. K. FAZLUL HUQ: As far as I am aware the recommendations of the Public Service Commission have been adhered to. I am not aware of any exception. If in any case Government want to differ from the recommendation of the Public Service Commission, the matter is referred to the Governor and his decision prevails.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state how many appointments of Head Masters have been made on the advice of the Public Service Commission?

The Hon'ble Mr. A. K. FAZLUL HUQ: I want notice, because I have not got the figures ready.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware of the fact that according to the present rule one in five appointments should be made by direct recruitment and four by promotion?

The Hon'ble Mr. A. K. FAZLUL HUQ: There is no such rule, but a proportion like that generally works up according to the appointments that have been made.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware that there is a definite rule to that effect?

Mr. SPEAKER: The Hon'ble Minister has denied that there is any such rule. Besides the question does not arise.

Waiting rooms for the female executants in registration offices.

***227. Mr. MAQBUL HUSAIN:** (*a*) Is the Hon'ble Minister in charge of the Education (Registration) Department aware that female executors of documents appearing in registration offices, have to suffer for want of waiting rooms?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of constructing waiting rooms as early as possible?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) No complaint has been received during recent years either by the Inspector-General of Registration or by Government.

(*b*) The question will be examined if and when local demands for such facilities are pressed through the proper authorities.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether Government are ready to make any enquiry about the sufferings of the female executants?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am prepared to make that enquiry.

Abwabs in certain estates, Khulna.

***228. Maulvi ABDUL LATIF BISWAS:** (*a*) Has the attention of the Hon'ble Minister in charge of the Revenue Department been drawn to the peculiar kinds of *abwabs* which are being exacted by the officers of the Laha Estates and Acharjee and Banagram Estates within the jurisdiction Morelganj and Sharan Khola police-stations in the district of Khulna?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is a fact—

(*i*) that brokers of paddy are appointed by the said estate at the highest bid;

(*ii*) that the tenants are to sell their paddy only through them;

(*iii*) that when a tenant pays his rent including that of the current year a sum varying from Rs. 3 to Rs. 35 for each rental is realised as expenses called *shaliana*;

(*iv*) that a tenant wishing to see the Manager of the Laha Estate has to pay Re. 1 as *nazar*; and

(*v*) that every petition to the Manager for the redress of any grievance has to be accompanied with Rs. 3-8?

(*c*) If the answers to (*b*) are in the affirmative, will he be pleased to state what action, if any, he has taken in the matter?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) and (*b*) (*v*) Yes.

(*b*) (*i*) They are appointed, but not by bid.

(*ii*) There is no such compulsion exercised.

(*iii*) In some cases small amounts appear to have been realised by officers of the estates under this appellation, but not with the approval of the managers.

(*iv*) No.

(*c*) The Collector is being requested to take all possible steps to stop the levy of *shaliana*, and any other illegal exactions.

Khan Bahadur MOHAMMED ALI: With reference to (*b*) (*v*), will the Hon'ble Minister be pleased to state the reason for realisation of Rs. 3-8?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. SYED JALALUDDIN HASHEMY: With reference to (*b*) (*i*), will the Hon'ble Minister be pleased to state why they are appointed and how they are appointed if they are not appointed by bid?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: They are appointed by the manager of the zemindars.

Mr. SYED JALALUDDIN HASHEMY: The Hon'ble Minister has not replied to my question as to why they are appointed?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether any premium is taken at the time of the appointment of those brokers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if it is legal to exact *shaltana*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if it is legal to appoint the brokers for the purpose of purchasing paddy?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: What these appointments mean I really could not make out. Probably the manager appoints someone who gets the right of dealing in paddy within the zemindari of the zemindars. Whether it means any special privilege or not is more than what Government know.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if the *shaltana* is not legal, why did not the District Magistrate take action so long?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The District Magistrate was not aware of this. When the question was put the matter was referred to the District Magistrate and he came to know of this illegal exactions, and has been instructed to take definite steps to stop it.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state the reason for the appointment of these brokers?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state when the District Magistrate came to know of this?

Mr. SPEAKER: That question has been answered.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if circulars have been issued to the Collectors asking them to see that illegal exactions are not made?

Mr. SPEAKER: That question does not arise.

Retransfer of khasmahals.

*229. **Mr. MIRZA ABDUL HAFIZ:** With reference to the reply to unstarred question No. 118 of the last session, will the Hon'ble Minister in charge of the Revenue Department be pleased to state what further steps have been taken with regard to the retransfer of the *khas mahals*?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The matter is under consideration of the Board of Revenue.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state how long will be taken by the Board of Revenue to consider it?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is impossible for me to answer this question.

Realisation of increased rent in the Nikhli khas mahal within the Kishoreganj Subdivision.

*230. **Khan Sahib HAMIDUDDIN AHMAD:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the tenants of the Nikhli *khas mahal* within the Kishoreganj subdivision of Mymensingh made a representation to the Government praying for remission of the increased rent in the recent revisional settlement there?

(*b*) Is it a fact that the rent in the said *khas mahal* has been increased by 25 to 100 per cent. during the last 20 years?

(*c*) If the answer to (*b*) is in the negative, what is the average percentage of increment during the said period?

(*d*) Are the Government considering it desirable to order suspension of realisation of the increased rent of the last revisional settlement in the said Nikhli *khas mahal* as well as in other *khas mahals* within last three years, till the proposed rent reduction enquiry committee or the enquiring officer appointed by the Government submit his report?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No such representation has been received.

(*b*) and (*d*) No.

(*c*) The average increase is 3·21 per cent.

"Bowwa" paddy in the eastern part of Kishoreganj and south-eastern part of Netrakona subdivisions of Mymensingh.

* *231. **Khan Sahib HAMIDUDDIN AHMAD:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the eastern part of Kishoreganj and south-eastern part of Netrakona subdivisions of the district of Mymensingh is a vast tract of low land commonly known as "Sea area" of the district;

(*ii*) that the main crop of that area is "*bowwa*" paddy grown during the rainy season; and

(*iii*) that owing to strong current of water and regular invasion by water-hyacinth over that tract of land during the rains, no "*bowwa*" paddy could be grown for the last quarter of a century?

(*b*) Have the Government made any enquiry into the matter?

(*c*) If the answer to (*b*) is in the negative, do the Government intend doing it now?

(*d*) Is it a fact that the Collector of the district did recommend some remedial measures for checking the current of water and water-hyacinth?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of taking any step into the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Yes.

(*ii*) Both "*bowwa*" and "*boro*" paddy are grown in the area.

(*iii*) The strong current of water carrying water-hyacinth often damages the "*bowwa*" paddy, but a good harvest was obtained last year.

(*b*) The Collector of the district had an enquiry made in the matter.

(*c*) to (*e*) The matter is still under examination by the Collector.

Number of detenus released.

*232. **Mr. MANORANJAN BANNERJEE:** (*a*) Will the Hon'ble Minister in charge of the Home (Political) Department be pleased to state the number of detenus released since September last?

(*b*) Is it a fact that the Hon'ble Minister declared that each of the detenus released will get Rs. 15 per month as personal allowance besides an additional grant as family allowance according to circumstances?

(*c*) What is the actual amount spent for the purpose up to February last?

(*d*) How many detenus have received the personal allowance after their release?

(*e*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the names of the detenus who are actually getting—

(*i*) personal allowance and the family allowance; and

(*ii*) the amount received by each of them?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (*a*) If the hon'ble member refers to conditional and unconditional release from all categories of detention or restraint, the number is slightly in excess of 1,800.

(*b*) No.

(*c*) to (*e*) The information is not readily available and cannot be compiled without an expenditure of time, labour and expense which Government regret they are not prepared to undertake.

Mr. SURENDRA NATH BISWAS: Has the attention of the Hon'ble Minister been drawn to the grievances of the released detenus that they have not got allowances even after the lapse of two months?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Regarding detenus who were released since November last year Government issued definite instructions that where detenus were receiving family allowances and personal allowances they would continue to do so, and I am almost definite that they have been receiving their allowances.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that several detenus although released two months back have not got any personal allowances of Rs. 15 per month?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have no information on this point, but, if any specific case is brought to their notice, they will be pleased to enquire into it.

Mr. SURENDRA NATH BISWAS: Is the Government aware that several petitions have been written to the Political Secretary to the Government of Bengal, to the effect that many detenus are not getting any allowance whatsoever?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is difficult for me to answer this vague complaint, but as I have said, if a specific case is referred to Government, Government will be pleased to enquire into the matter.

Mr. MANORANJAN BANERJEE: Is the Hon'ble Minister aware that several detenus in the Dacca district did not get their allowances even after repeated applications to Government?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have no information on this point, Sir.

Mr. SASANKA SEKHAR SANYAL: In view of the fact that the previous questions had been termed as vague allegations, may I cite a concrete case and ask if the Hon'ble Minister is aware that one detenu, namely, Sudhanshu Kumar Bose, made repeated applications for allowances and that not only was no allowance given to him but that no reply even was given to his petitions?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government will be pleased to enquire into this matter.

Mr. SIBNATH BANERJEE: On a point of privilege, Sir. May I ask if the Hon'ble Sir Bijoy Prasad Singh Roy, not being the Home Minister, can reply to supplementary questions on this subject?

Mr. SPEAKER: The Hon'ble the Revenue Minister has himself assumed responsibility in this matter and he has taken permission from the Chair to answer on behalf of the Home Minister.

Mr. ATUL KRISHNA GHOSE: May I know, Sir, whether the question that a large number of detenus are getting no allowances is vague or the reply of the Home Minister is vague?

Mr. SPEAKER: It is not for me to determine.

Appointments made in the Bengal Legislative Council.

*233. **Mr. M. A. H. ISPAHANI:** Will the Hon'ble Minister in charge of the Home (Constitution and Elections) Department be pleased to state—

(*a*) the number of posts in the Bengal Legislative Council Department according to the following order—

(1) gazetted rank, and

(2) non-gazetted rank—

(*i*) Upper Division,

(*ii*) Lower Division,

(*iii*) Stenographers, and

(*iv*) Typists; and

(*b*) (*i*) how many of these posts in each classification are held by Muslims, and

(*ii*) how many by non-Muslims?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A statement is laid on the table.

Statement referred to in the reply to starred question No. 233.

	Number of posts.	Muslims.	Non-Muslims.
(1) Gazetted	2	1	1
(2) Non-gazetted—			
(*i*) Upper Division	3	..	3
(*ii*) Lower Division	6	3	3
(*iii*) Stenographers	2	..	2
(*iv*) Typists	3	1	2

The status of one post, at present filled by a non-Muslim, is not yet settled

The Council Department was created with effect from 10th January, 1938, and the above posts have been filled temporarily for the present.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state why no Muhammadan has been appointed in the Upper Division?

Mr. SPEAKER: Order, order. I think I should at this stage intervene and let fall a hint that it is not desirable or even profitable that questions regarding the internal administration of another House should be made the subject-matter of comment in this House. I had taken particular care and seriously considered whether I should admit such a question at all, but in view of the fact that it was purely of a general nature I admitted it. But I think that it is desirable from the point of view of the privilege that this House possesses that a question regarding the internal administration of the other House should, as far as possible, be refrained from being put. If, however, members want any information on this point there are quite other ways open to them, and I feel that it is only right that we should not take recourse to such questions on the floor of the House.

Mr. ABDULLA-AL MAHMOOD: May we know whether members of this House have got the right and privilege just to know who is the appointing authority in this case?

Mr. SPEAKER: Yes, you are perfectly entitled to know who is the appointing authority in this case.

• **The Hon'ble Sir BIJOY PRASAD SINGH ROY:** The Home Department is the appointing authority in this case. I may further state that these appointments were made in a hurry. Also, all these appointments are of a temporary nature, but when permanent appointments are made, Government give this assurance that they will see that the Muhammadans receive their proper proportion of appointments.

Mr. SPEAKER: May I draw your attention to one inaccuracy in your above statement, Sir Bijoy? It is not the Home Department that is the appointing authority in this case, but it is the Hon'ble the President himself.

Mr. SURENDRA NATH BISWAS: At this House is the competent authority generally sanctions the pay of all these officers, is it not permissible and also reasonable for it to see that the funds it sanctions is spent in the right way?

Mr. SPEAKER: I think this is a very important issue which not only affects the administration of the other House, but also the administration of numerous local bodies, and for the time being I have held that in regard to matters which are ordinarily left to the discretion of local bodies enjoying statutory power vested in them, this House without changing the statutes cannot enter into them because

it is the delegated authority of this House that they are exercising; if they are going wrong, surely, this House can change the law, but so long as the law stands, I am afraid you cannot interfere with their administration.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I just correct one piece of information I have just given with regard to the appointing authority in this case? The appointing authority in this case is not the Home Department, but the Hon'ble the President in consultation with the Public Service Commission.

Mr. SYED JALALUDDIN HASHEMY: Sir, in answer to question (*a*) (*2*), it is said that the status of one post at present filled by a non-Muslim is not yet settled: may I know, Sir, if that post is an Upper Division post, or a Lower Division post, or a stenographer's post or a post of typist, and when is it likely to be "settled"?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. SYED JALALUDDIN HASHEMY: The answer says that the status of one post at present filled by a non-Muslim is not yet settled——

Mr. SPEAKER: The Hon'ble Minister had said that he wants notice on this question.

Mr. SYED JALALUDDIN HASHEMY: It hardly needs notice, Sir, for my question is whether it is an Upper Division post, a Lower Division post, or a stenographer's or a typist's post.

Mr. SPEAKER: I cannot help. It is on this question that he wants notice.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether suitable Muhammadan candidates applied for the posts in the Upper Division?

Mr. SPEAKER: I am afraid, I must disallow this question, and I do so for a very definite reason. I might tell the House that it is absolutely plain that it is undesirable that questions of administration of the other House should be allowed in this House; for, once I allow such questions to be discussed here, matters connected with the administration of this House will be the subject-matter of a question in the other House. It is a matter of reciprocal arrangement, and I hope members will kindly realise that. I am very sorry, but I do hope that members will kindly realise the position.

Appointments made in the various branches under the Hon'ble Finance Minister.

***234. Mr. MD. ABUL FAZL:** Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*a*) the total number of appointments made in the various branches under his charge since 1st April, 1937; and

(*b*) the number of Mussalmans among them?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): A statement is laid on the table.

Statement referred to in the reply to starred question No. 234.

	Total number of appointments made.	Number of Mussalmans appointed.
Finance Department—		
Assistants (permanent)	2	1
Assistants (temporary)	12	1
Stenographers	18	2
Typists	1	..
	33	4
Bengal Government Press—		
Clerical posts	4	2
Miscellaneous Store-keeper	1	..
Reader	1	..
Revisers	2	1
Paper Store-keeper	1	..
Driver	1	1
Mechanical Overseer	1	..
Apprentice	1	..
Compositors	16	10
Distributors	16	6
Mono-caster	1	1
Binder	1	1
	46	22

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the reason why such a disproportionately small number of appointments to temporary posts of assistants and stenographers have gone to Moslems?

The Hon'ble Mr. NALINI RANJAN SARKER: In case of stenographers the reason is dearth of qualified men, and in case of temporary assistants it is because some holders of temporary posts in the expiring vacancies had to be transferred to the new temporary posts.

Mr. SURENDRA NATH BISWAS: Is it a fact that out of these stenographers, that is 18 stenographers, some are Madrasis?

The Hon'ble Mr. NALINI RANJAN SARKER: I want notice.

Mr. ABDULLA-AL-MAHMOOD: Will the Hon'ble Minister be pleased to state how many Muhammadan candidates had applied for the posts of assistants and stenographers.

The Hon'ble Mr. NALINI RANJAN SARKER: I want notice.

Mr. SURENDRA NATH BISWAS: Are these appointments, I mean the appointments of stenographers specially, temporary or permanent?

The Hon'ble Mr. NALINI RANJAN SARKER: They are permanent.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if these vacancies were advertised in the press?

The Hon'ble Mr. NALINI RANJAN SARKER: Oh, yes, they were duly advertised. There was an examination held and the appointments were made by a Committee.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if suitable Bengali Hindus and Muhammadans were sufficiently available for these posts ?

The Hon'ble Mr. NALINI RANJAN SARKER: Suitable Muhammadans were not sufficiently available, and therefore they have gone mostly to Hindus.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that a good number of Bengali Hindus were available, although a sufficient number of Muhammadans may not have been available?

Mr. SPEAKER: Mr. Biswas, this is the fourth time that I have noticed you being so much carried away by your torrent of supplementary questions as to disregard the rules. You do not wait to see whether you are permitted to put in a supplementary question. After asking one supplementary question your duty is to sit down immediately the question is put. If you want to put in a second question you ought to ask my permission to do so, which you have not at all done so far.

Mr. ABDULLA-AL MAHMOOD: Sir, in reply to my question regarding how many Muhammadans applied for the posts of assistants and stenographers, the Hon'ble Minister's answer was that there was dearth of Muhammadan candidates for the posts of stenographers, and in reply to my supplementary question he says he wants notice. How does he reconcile this position that there was dearth of Muhammadan candidates for these posts?

The Hon'ble Mr. NALINI RANJAN SARKER: I reconcile my position in this way that under section 56A of the Secretariat Instructions, certain minimum qualifications have been prescribed for candidates but the Muhammadan candidates could not satisfy those qualifications.

Maulvi ABDUL BARI: Were these posts advertised?

The Hon'ble Mr. NALINI RANJAN SARKER: I think, they were.

Mr. ABDULLA-AL MAHMOOD: What are the requisite qualifications for appointment as assistants and stenographers?

The Hon'ble Mr. NALINI RANJAN SARKER: Section 56A of the Secretariat Instructions lays down the rules for the recruitment of stenographers.

As regards the rules for the recruitment of assistants, I want notice.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to see that Bengali Hindus and Muhammadans are appointed as stenographers, and not non-Bengalis?

Mr. SPEAKER: That question does not arise here.

Number of Muslim and non-Muslim employees both in the Original and Appellate Sides of the High Court, Calcutta.

*235. **Khan Sahib Maulana AHMED ALI ENAYETPURI:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state, grade by grade, the total number of Muslim and non-Muslim employees including Advocate-General, Standing Counsel, Government Counsel, Government Pleader, Assistant Government Pleader, Law Reporters and extra typists both in the Original and Appellate Sides of the Hon'ble High Court of Calcutta.

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur): A statement is laid on the table.

Statement referred to in reply to the starred question No. 235 of employees in the High Court, Calcutta.

Name of post and pay.	Muslim.	Non-Muslim.
Advocate-General (Rs. 2,000)	..	1
Standing Counsel (Rs. 1,000)	..	1
Government Counsel (Rs. 500)	..	1
Government Pleader (Rs. 300)	..	1
Assistant Government Pleader (Rs. 150) ..	..	1
Editor of Law Reports (Rs. 600)	..	1
Reporters (Rs. 200)	1	6

STATEMENT SHOWING GRADE BY GRADE THE TOTAL NUMBER OF MUSLIM AND NON-MUSLIM EMPLOYEES INCLUDING EXTRA-TYPISTS IN THE APPELLATE SIDE, HIGH COURT, CALCUTTA.

	Muslim.	Non-Muslim.	Total strength.
Registrar, I.C.S. grade		1	1
Deputy Registrar (Rs. 750—50—1,000)		1	1
First Assistant Registrar (Rs. 500—40—700)	1	..	1
Second Assistant Registrar (Rs. 400—25/2—450)		1	1
Third Assistant Registrar, B. C. S. grade ..	..	1	1
Fourth Assistant Registrar (Rs. 210—20—450)—Special pay Rs. 50 ..	..	1	1

	Muslim.	Non-Muslim.	Total strength.
***Ministerial Staff** (Permanent).*			
Translators (Rs. 150—10—250) ..	1	7	8
Bench clerks (Rs. 210—20—450) ..	..	7	7
Decree-writers (Rs. 80—10—200) ..	..	6	6
Stamp Reporter (Rs. 350—10—400) ..	..	1	1
Senior Superintendent (Rs. 250—10—350) ..		1	1
Superintendents (Rs. 200—10—300) ..	..	2	2
Superintendents (Rs. 150—10—250) ..	1	8	9
Accountant (Rs. 270—10—350) ..	..	1	1
Editor (Rs. 250—10—300)	..	1	1
Librarian (Rs. 200—10—300) ..	..	1	1
Cashier (Rs. 170—10—270)	..	1	1
Commissioner of Affidavits (Rs. 140—10 2—160—20/2—220)	1	..	1
Court Keeper (Rs. 225—25 2—300) ..	..	1	1
Assistant (Rs. 125—10—225) ..	..	1	1
Assistants (Rs. 80—10—200) ..	1	2	3
Assistants (Rs. 45—125)	42	113	155
Typists (Rs. 45—5 2—100)	..	4	4
Menials.			
Record Arrangers (Rs. 20—½—32) ..	7	6	13
Duftries (Rs. 20—¼—27)	8	8	16
Judges' Jamadars (Rs. 20—½—24) ..	5	10	15
Other Jamadars (Rs. 15—⅛—19) ..	..	2	2
Orderlies to Judges (Rs. 15—⅛—19) ..	18	28	46
Office Peons (Rs. 15—⅛—19) ..	12	42	54
Barkandazes (Rs. 15—⅛—19) ..	3	9	12
Darwans (Rs. 15—⅛—19) ..	..	4	4
Extra Typists	6	39	45
Temporary Staff.			
Editors (fixed Rs. 250)	..	2	2
Bench Clerk (Rs. 210—20—450) ..	..	1	1
Bench Clerk (fixed Rs. 210)	..	1	1
Editorial Assistants (fixed Rs. 125) ..	..	2	2
Assistants (Rs. 45—125)	..	3	3
Record Clerk (fixed Rs. 60)	..	1	1
Assistants (fixed Rs. 45)	2	13	15
Jamadar (Rs. 20—¼—24)	..	1	1
Jamadars (fixed Rs. 20)	..	2	2
Orderly (Rs. 15—⅛—19)	1	3	4
Orderly (fixed Rs. 15)	4	4	8

STATEMENT SHOWING, GRADE BY GRADE, THE TOTAL NUMBER OF MUSLIM AND NON-MUSLIM EMPLOYEES INCLUDING SECTION-WRITERS (THERE BEING NO EXTRA TYPISTS) IN THE ORIGINAL SIDE, HIGH COURT, CALCUTTA.

	Muslim.	Non-Muslim.					
		European.	Anglo-Indian.	Native Christian.	Armenian.	Hindu.	Total strength.
Registrar (Rs. 1,800—40—2,000) ..	.	1	..	..	..	..	1
Master and Official Referee (Rs. 1,500—60—1,800) ..	.	..	..	.	..	1	1
Registrar in Insolvency (Rs. 1,200—60—1,500)	..	..	..	..	.	1	1
Deputy Registrar (Rs. 800—40—1,000)	..	..	..	..	..	1	1
Assistant Master and Referee (Rs. 700—60—1,000) ..	..	..	..	..	..	1	1
Secretary to the Hon'ble the Chief Justice (Rs. 600—30—750)	..	..	1	..	..	..	1
Clerk of the Crown (Rs. 700)	..	.		.	1	..	1
Assistant Registrars (Rs. 400—40—600)	1	..	.		.	2	3
Assistant Registrars (Rs. 200—20—300)	.		.	..	..	3	3
Ministerial Staff (Permanent.)							
Superintendent (Rs. 250—10—300) .	..	.	..	..	..	1	1
Superintendents (Rs. 200—10—250) .	..	..	.	.	..	3	3
Superintendents (Rs. 150—5—200) ..	1	..	..	..	..	7	8
Chamber Clerks and Reference Clerks (Rs. 100—5—150) .	1	..	..	.	..	3	4
Assistants (Rs. 45—45—50—3—95—4—115—5—125) ..	4	..	1	..	..	92	97
Nagri Munshi (Rs. 100—10—150) ..	..	..	..	..	..	1	1
Nagri Munshis (Rs. 75—5/2—100) ..	..	..	..	..	..	2	2
Arabic and Persian Readers; Bengali Mohorars (Rs. 65—2—75) ..	2	..	..	..	..	5	7
Typists (Rs. 45—5/2—100) ..	1	..	..	1	..	3	5
Bank Clerk (Rs. 30—2—40) ..	..	..	..	..	..	1	1
Interpreters and Translators (Rs. 180—10—200—15—500) ..	1	..	..	..	..	7	8

	Muslim.	Non-Muslim.					
		European.	Anglo-Indian.	Native Christian.	Armenian.	Hindu.	Total strength.
Whole-time Translators (Rs. 150—10—250)	..	..	..	..	..	2	2
Shorthand Typists (Rs. 80—5—175) ..	..	..	.	..	..	1	1
Stenographers (Rs. 200 10—450) ..	..	..	4	..	..	3	7
Scaling Clerk (Rs. 40) ..	..	..	..	.	..	1	1
Inspection Clerk (Rs. 35)	..	..	..	..	.	1	1
Record Suppliers (Rs. 20—1/2—32) ..	..	..	..	1	..	5	6
Menials.							
Sircar (Rs. 25—1/2—35)	..	.	..	..	.	1	1
Duftries (Rs. 20—1/4—27) ..	3	..	..	.	..	1	4
Jamadars (Rs. 15—1/5 19) ..	1	.	..	..	..	2	3
Orderlies (Rs. 15—1/5 —19) .	2				.	13	15
Barkandazes (Rs 15— 1/5 —19) ..					..	4	4
Durwans (Rs 15 1/5— 19)	.	.			..	3	3
Bench, Messenger Peons and Record Peons (Rs 15 1/5 19) ..					.	28	28
Temporary Staff							
Accountant (Rs 250)	.	.	.		..	1	1
Shorthand Writers (Rs. 170) .	..	..	1	..	..	1	2
Assistants (Rs. 45)	1	..		..	.	1	2
Reorganisation Staff							
Superintendent (Rs. 150 —5—200)	.	.	..	1	..	..	1
Assistants (Rs. 45)	..			1	.	2	3
Record Arrangers (Rs. 20) .	..	.	..	..	..	2	2
Duftry (Rs. 18) ..	1	..	.	..	..	..	1
Peons (Rs. 15)	..	..	..	..	.	2	2
Record Peons (Rs. 15)	..	..	..	..	..	7	7
Section Writers ..	7	.	1	.	..	37	45
Contingent menials ..	9	..	..	..	.	7	16

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state why none of the prize posts under the Hon'ble High Court has been given to any Muhammadan?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The late Government is responsible for this state of affairs.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister consider the desirability of changing the mode of recruitment which was adopted by the late Government?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Some of these appointments are made by the Hon'ble High Court and some are made by the Government of Bengal. As regards those made by the Government of Bengal, they were done before we assumed office. As regards those made by the Hon'ble High Court, I understand there are certain recruitment rules and the Hon'ble High Court appointed those who complied with those rules.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to see that Moslems are appointed to these prize posts?

Mr. SPEAKER: I do not think your question is admissible, as it does not seek any further information.

Mr. ABDULLA-AL MAHMOOD: Considering the inadequate proportion of Muhammadan appointments, does the Hon'ble Minister consider the desirability of making a scheme for raising the percentage of Mahomedan appointments?

Mr. SPEAKER: I am afraid, that question is also not admissible.

Dr. H. C. MUKHERJI: May I through you, Sir, draw the attention of the Hon'ble Minister to the way in which my community has been represented. I entered my protest last session against the use of the term "native" Christians, and I find it repeated here. We are known as Indian Christians and not as native Christians.

Maulvi ABDUL BARI: Are the posts of Reporters permanent or temporary?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: They are appointed for a term.

Maulvi MUHAMMAD ISRAIL: Which of the appointments are made by the Hon'ble High Court and which by the Government of Bengal?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: If the honourable member would be pleased to come to my office I shall certainly give him the information asked for.

Al-Haj Maulana Dr. SANAULLAH: Is the Hon'ble High Court responsible to the Government of Bengal?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL BARI: What are the terms of appointment to these posts of reporters and for how many years they are appointed?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I want notice.

Maulvi MUHAMMAD ISRAIL: Is there any fixed percentage for Muhammadan appointments so far as the ministerial staff is concerned?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: In the case of assistants you will find that out of 155 appointments made 42 are Moslems.

Maulvi MUHAMMAD ISRAIL: Has any percentage been fixed for Mahomedan appointments?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I am not aware of that.

Maulvi ABDUL BARI: When was the last editor of Law Reports appointed?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: As far as I can remember, it was made just a few months ago.

Road and Public Works cesses in Jalpaiguri.

*236. **Babu KHAGENDRA NATH DAS GUPTA:** Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to lay on the table a statement showing for the Jalpaiguri district during the four years 1933-34 to 1936-37—

(*a*) the amount of Road and Public Works cesses collected—

(*i*) in the permanently settled areas, and

(*ii*) in other areas;

(*b*) the amount of grants received by the District Board from—

(*i*) the Road Board Fund, and

(*ii*) the motor vehicles tax fund; and

(*c*) the amount of money spent for communications by the District Board—

(*i*) in the permanently settled areas, and

(*ii*) in the other areas?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Kasimbazar): Statements are laid on the table.

Statements referred to in the reply to starred question No. 236.

(*a*) Showing the amount of Road and Public Works Cesses collected in the Jalpaiguri District during the 4 years 1933-34 to 1936-37—

			Rs.
(*i*) In the permanently settled area ..	1933-34	..	1,20,914
	1934-35	..	1,28,286
	1935-36	..	1,52,948
	1936-37	..	1,29,095
			Rs.
(*ii*) In other areas of the district ..	1933-34	..	1,44,845
	1934-35	..	1,61,250
	1935-36	..	1,78,887
	1936-37	..	1,70,252

(*b*) Showing the amount of grants received by the Jalpaiguri District Board—

			Rs.
(*i*) The Road Board Fund.. ..	1933-34 to 1936-37	..	Nil.
(*ii*) The Motor Vehicles Tax Fund during the last 4 years 1933-34 to 1936-37.	1933-34	..	73,634
	1934-35	..	8,223
	1935-36	..	84,663
	1936-37	..	97,625

(*c*) Showing the amount of money spent for communications by the District Board, Jalpaiguri, during the last 4 years 1933-34 to 1936-37—

			Rs.
(*i*) In the permanently settled area ..	1933-34	..	78,562
	1934-35	..	90,602
	1935-36	..	85,333
	1936-37	..	1,04,264
(*ii*) In other areas	1933-34	..	1,13,304
	1934-35	..	1,19,961
	1935-36	..	1,69,961
	1936-37	..	2,04,740

Protective and improving measures for encouraging market for Bengal silk.

***237. Mr. SASANKA SEKHAR SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether it is a fact—

(*i*) that the Silk Weaving Institute at Berhampore was started with a view to reviving Bengal silk; and

(*ii*) that during the last 15 years there has been no improvement in the outlook of Bengal silk?

(*b*) What is the total amount spent up to date over the Berhampore Institute?

(*c*) How many students have passed out of the Institute?

(*d*) How many of those passed have taken to silk as an independent occupation?

(*e*) Is the Hon'ble Minister aware—

(*i*) that the basic problem of Bengal silk is the uneasy competition with Japanese and Canton silk;

(*ii*) that Bombay market has become stiff for Bengal silk, since the cost for bringing silk from China to Bombay is less than that for bringing silk from Bengal to Bombay;

(*iii*) that cheap Japanese and Chinese artificial as well as genuine floss and real silk has been gradually displacing Bengal silk;

(*iv*) that cocoon rearing has fallen off and mulberry cultivation has been almost dropped;

(*v*) that recently cocoon for the Berhampore Institute was not available locally;

(*vi*) that nearly seven lakhs of rupees worth Benares silk cloth is purchased annually by Bengalis;

(*vii*) that all the silk for such Benares goods is now indented from outside whereas formally Bengal used to supply the same;

(*viii*) that there is no arrangement in Bengal for securing uniformity of yarn in Bengal;

(*ix*) that this has been found as one of the causes for the failure of Bengal silk;

(*x*) that there is no arrangement for producing spun silk in Bengal out of the waste yarns;

(*xi*) that Japan and China produce spun silk after flossing the waste yarns; and

(*xii*) that such silk gets quick market in India and elewhere?

(*f*) If the answer to (*e*) is in the affirmative, are the Government considering the desirability of taking protective and improving measures so that—

(*i*) Bengal silk could get much more encouraging market in and outside the Province;

(*ii*) cocoon rearing would flourish as an important cottage industry;

(*iii*) agriculturists would get back their once prosperous mulberry cultivation; and

(*iv*) industrially trained young men would get better prospects in the local and foreign markets of finished goods and better facilities for utilising their training?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) (*i*) Yes.

(*ii*) Yes, except that there has been some improvement during the last year.

(*b*) The net total expenditure up to 1937 has been Rs. 1,81,463-11-3.

(*c*) 232.

(*d*) 66 have secured service, 33 have started independent profession and there is no information about the rest.

(*e*) (*i*) Yes, to a certain extent.

(*ii*) Yes.

(*iii*) and (*iv*) Partially so. Attempts are however being made to revive the industry of cocoon-growing by introducing improved reeling and there are already signs of increased production.

(*v*) No. Cocoons were available in the villages.

(*vi*) I have no accurate figures for this.

(*vii*) Yes.

(*viii*) and (*ix*) Yes and to remedy this a silk-conditioning house has just been started and improved reeling methods are being adopted through Peddie Reeling Institute and the reeling demonstration parties which are being reorganised.

(*x*) There is no spun silk mill at present but hand-spinning is done of the major portion of the waste which furnishes a lucrative cottage industry to about 12,000 poor families. Attempts are being made to expand this cottage industry so as to utilise the entire waste.

(*xi*) and (*xii*) Yes.

(*f*) I have schemes for bringing about a co-ordinated improvement in all the stages of silk industry, some of which have already been put into operation and the others will be put into effect as soon as the budget for the next year has been passed.

Mr. SASANKA SEKHAR SANYAL: In view of the answer (*e*)(*ii*), what steps do the Government propose to take for reducing the cost of freight so that there may be an easy competition between Chinese silk and Bengal silk?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: This matter is being gone into by the Department.

Mr. SASANKA SEKHAR SANYAL: Is the Government of Bengal in touch with the Central Government over this important question?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have just said that this Government is now going into the question.

Kazi EMDADUL HAQUE: With reference to answer (*a*)(*ii*), what is the nature of the improvement effected during the last year?

Mr. SPEAKER: I am afraid, it is not possible to answer this supplementary question offhand.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state with reference to answer (*e*)(*iii*) and (*iv*) whether he is aware that an improved system of reeling cannot possibly improve cocoon growing?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am sorry, I could not follow the question.

Dr. NALINAKSHA SANYAL: Cocoon rearing is a process of agricultural operation, and improved reeling is a process of industrial work, and the two have no connection.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: If this is improved, rearing of more cocoons will be taken.

Mr. SASANKA SEKHAR SANYAL: In view of answer (*e*)(*ii*) May I ask the Hon'ble Minister if there is anything in the immediate contemplation of Government for reducing the cost of freight as referred to in that.

Mr. SPEAKER: The question has been answered.

Mr. SASANKA SEKHAR SANYAL: In view of answer (*e*)(*iii*), is it in the contemplation of the Government to impose protection in Bengal so that Bengal silk may have a good competition against foreign silk?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I would request the hon'ble member to wait for the agricultural budget in which he will find that all these questions have been gone into.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state where the silk conditioning house has been started, and where it is located? Is it in any silk growing area?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I think if the hon'ble member will look up the last year's budget, he will find where it has been. It was passed by this House last year.

Dr. NALINAKSHA SANYAL: My question is whether it is in a silk growing area or where it is. There is no question of referring to the Budget.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is already there where it is.

Dr. NALINAKSHA SANYAL: Is it in a silk growing area?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It must be in the silk area.

Mr. JOGESH CHANDRA GUPTA: Sir, I think it is not a correct reply to say that it is in the place where it is.

Dr. NALINAKSHA SANYAL: I want a reply, Sir.

Mr. SPEAKER: What is your question?

Dr. NALINAKSHA SANYAL: My question is where the silk conditioning house is located, and is it located in the silk area?

Mr. SPEAKER: That is why you are not getting an answer. Please confine yourself to one part.

Dr. NALINAKSHA SANYAL: The two are inter-connected Sir. Let us have the reply.

Mr. SPEAKER: Dr. Sanyal wants to have the answer as to where the silk conditioning house is located.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice, Sir.

Mr. SASANKA SEKHAR SANYAL: In view of answers to (*e*) (*x*) and (*f*) where it is mentioned that "attempts are being made to expand this cottage industry....." and "I have schemes for bringing about a co-ordinated improvement....." will the Hon'ble Minister be pleased to enlighten the House as to what actually has been taken in hand in this direction?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: If the hon'ble member will kindly go through the last Budget, he will find what has been taken in hand, and I hope he will wait till I present my Budget.

Mr. SASANKA SEKHAR SANYAL: On a point of order, Sir. Is it permissible for the Hon'ble Minister to refer to Encyclopaedia Britannica and not answer questions himself.

Mr. SPEAKER: If he does I cannot help it.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I say, Sir, that every hon'ble member had the Budget and they know what improvements have been placed before the House.

Dr. NALINAKSHA SANYAL: It appears the Minister does not know.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It appears you have not read it.

Kazi EMDADUL HAQUE: With reference to answer (*e*) (*i*) will the Hon'ble Minister be pleased to state what steps the Government propose to take regarding the difficulty of solving the uneasy competition?

Mr. SPEAKER: That question does not arise.

Convictions for violating the Bengal Water-hyacinth Act in the subdivisions of Munshiganj and Manikganj.

*238. **Mr. KIRAN SANKAR ROY:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) how many persons have been convicted in the subdivisions of Munshiganj and Manikganj for violating the Bengal Water-hyacinth Act and how many notices were issued to show cause why the defaulters should not be prosecuted;

(*b*) what was the total amount of fine realised under this Act; and

(*c*) what has been done with this amount?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) 153 persons were convicted and about 1,300 notices were issued on defaulters to show cause why they should not be prosecuted.

(*b*) Rs. 473.

(*c*) The amount has been credited to Government.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Minister be pleased to state what was the nature of the conviction in these 153 cases referred to in answer (*a*)?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: They violated the Bengal Water Hyacinth Act.

Mr. KIRAN SANKAR ROY: My question is what was the nature of the punishment, were they sent to Jail, interned or what?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: They were fined. Rs. 473 were realised from them.

Mr. KIRAN SANKAR ROY: What happened in those 1,300 cases?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice, Sir.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the total number of persons that were prosecuted?

Mr. SPEAKER: That question does not arise.

Khan Bahadur MOHAMMED ALI: That question does arise, Sir. The Hon'ble Minister says that 153 persons were convicted. I want to know how many were prosecuted.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of DACCA: I want notice, Sir.

Mr. KIRAN SANKAR ROY: What do the Government propose to do with this amount of Rs. 473?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of DACCA: It goes to the General Fund.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government has spent any amount in the subdivisions of Munshiganj and Manikganj for the eradication of water hyacinth?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Sir, my submission is that Government has realised Rs. 473 as fine under that Act, and I want to know whether Government is prepared to spend——

Mr. SPEAKER: That question does not arise here.

Appointment of officers in the Agriculture Department including the Live-stock Section.

***239. Mr. MD. ABDUL HAKIM VIKRAMPURI:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing for the present—

(*i*) the total number of officers in the different services in the Agriculture Department including the Live-stock Section;

(*ii*) the number of—

(1) Hindu,

(2) Mussalman,

(3) Christian officers, and

(4) the officers representing other communities in the—

(*A*) Bengal Higher Agricultural Service,

(*B*) Bengal Lower Agricultural Service,

(*C*) Bengal Subordinate Agricultural Service, Classes I, II and III,

(*D*) Classes of Services under the Live-stock Expert, Bengal,

(*E*) temporary and officiating clerical service in the department, and

(*F*) menial service under the Live-stock Expert;

(*iii*) the percentage of Mussalmans in each of the grades and denominations referred in (*ii*)?

(*b*) Have the appointments been made in accordance with the circular issued, from time to time, by the Government? If not, why not?

(*c*) Is the Hon'ble Minister aware that almost all the agriculturists of Bengal are Mussalmans and Scheduled Castes?

(*d*) If the answer to (*c*) is in the affirmative, are Government considering the desirability of taking immediate steps to make provision for proper representation of the Mussalmans and Scheduled Castes in the department according to the number of agriculturists of each community?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) 401.

(*ii*) and (*iii*) A statement is laid on the table

(*b*) Yes, as far as possible

(*c*) The member is referred to the answer given to clause (*b*) of starred question No. 69 in the current session of the Assembly.

(*d*) I have been making every endeavour to secure proper representation of Mussalmans and Scheduled Castes but find myself greatly handicapped for want of properly qualified candidates belonging to these communities for the technical posts under the department.

Statement referred to in the reply to clause (a) (ii) and (iii) of starred question No. 239.

Name of service.	Hindu.	Mussalman	Christian.	Other communities.	Total.	Percentage of Muslims.
Bengal Higher Agricultural Service	3	3	..	..	6	50·0
Bengal Lower Agricultural Service	4	3	1	..	8	37·5
Subordinate Agricultural Service, Classes I, II and III ..	135	72	1	1	209	34·4
Service under the Live-stock Expert	16	4	..	..	20	20·0
Temporary and officiating clerical service in the department ..	6	3	..	..	9	33·3
Menial service under the Live-stock Expert	15	3	..	..	18	16·6

Solving of unemployment problem in Bengal.

*248. **Mr. MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what steps, if any, do the Government intend taking to meet the unemployment situation in the Province?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: So far as the Agriculture and Industries Department is concerned which deals principally with middle-class unemployment, a number of schemes are already in existence for giving training in various forms of industry and agriculture and affording financial assistance to unemployed young men to enable them to set themselves up in business. It is in contemplation to put into operation several new schemes which provide for a large expansion of departmental activities in the same direction and provision for this has been made in the next year's budget estimate. It is also in contemplation to appoint with effect from the next year an unemployment adviser who will make a survey and prepare lists of different avenues of employment in the Province with indications of the share of Bengalis and the prospects of absorption of future entrants in each occupation. His function, *inter alia*, will be to indicate the training required for each such occupation and where it is available and to give adequate publicity to the same through colleges and universities.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what sort of financial assistance will be given, whether it will be in the form of loans and grants, and what will be the guiding principle of that assistance?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of DACCA: At present the Government is giving loans, but this question I am going into. I cannot say definitely what the Government proposes to do in future.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state what are the industries in which the young men are being trained?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur of DACCA: As far as I remember, they are being given practical training in hosiery, tannery, weaving, coir matting, and several others which I do not remember.

Mr. SURENDRA NATH BISWAS: Is it a fact that Government is subsidizing a Bank called the Credit Syndicate——

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: The Hon'ble Minister says that Government is affording financial assistance to unemployed young men to enable them to set themselves up—

Mr. SPEAKER: But you must put it in a form which is permissible. The question should arise from the result of the answer. But you are putting altogether a new question. It might have some connection, but only very remote. So it is not relevant.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether he is prepared to make out a list of the unemployed in Bengal?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state if proper enquiries are made about the consumption of the products manufactured by those young men who receive financial help?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes.

Mr. JOGESH CHANDRA GUPTA: Are Government prepared to market the whole of the produce in order to make such schemes successful?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I shall inform the House of the intentions of Government when I ask for grants during the course of this Budget.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the qualifications which Government consider necessary for the unemployment adviser?

Mr. SPEAKER: That question does not arise.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether the middle-class unemployment referred to in this answer also includes "agricultural" unemployment?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether the post of the unemployment adviser is a post in addition to that of the unemployment director mentioned by the Hon'ble Finance Minister?

Mr. SPEAKER: That question does not arise.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state whether Government propose to give any allowance to the unemployed?

Mr. SPEAKER: That question hardly arises

Mr. SURENDRA NATH BISWAS: Are Government considering the question of allowing the Industrial Credit Syndicate to take deposits from the public?

Mr. SPEAKER: That question does not arise

Water-hyacinth in the Arial beel in Dacca.

***241. Mr. MANORANJAN BANNERJEE:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that 20 or 25 years ago there used to be a good crop in the area known as Arial *beel* situated between the South Sadar subdivision and the Munshiganj subdivision in the district of Dacca;

(*ii*) that the said *beel* is now filled with water-hyacinth;

(*iii*) that in three-fourths of this area crops are being destroyed due to excessive water and presence of water-hyacinth; and

(*iv*) that for the last 20 years, people inhabiting Dohar, Nawabganj and Sreenagar police-stations are suffering due to failure of their crops?

(*b*) Does the Hon'ble Minister contemplate any immediate action for draining the excessive water in the area and for the removal of water-hyacinth?

(*c*) What are the reasons for not taking any steps in accordance with the provisions of the Bengal Water-hyacinth Act to clear the lands of the pest of water-hyacinth?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) Yes, the area is reported to have been fairly productive.

(*ii*) Yes, but a good portion of it has since been reclaimed.

(*iii*) I have no information regarding any damage of the crops of this area by excessive water. The area still yields a fair crop of *aus* paddy which is grown before water-hyacinth spreads along with the flood whereas the *aman* paddy is largely damaged by water-hyacinth.

(*iv*) The damage of *aman* paddy by water-hyacinth of course causes a good deal of loss to the people but they have the *aus* crop and local industries like the manufacture of paper by hand to sustain them.

(*b*) With regard to draining the excessive water the question does not arise. With regard to the removal of water-hyacinth the member is referred to the Press Note, dated the 24th November, 1937, a copy of which is placed on the Library table.

(*c*) The Bengal Water-hyacinth Act has been put into force in the whole of the district of Dacca. As, however, the work of destruction of water-hyacinth of the area by organisation of voluntary labour under the Special Officer appointed by Government is proceeding satisfactorily no coercive action under the Act is considered necessary.

Mr. MANORANJAN BANERJEE: Will the Hon'ble Minister be pleased to state whether there is any proposal under the consideration of Government for realizing 20 seers of paddy from the cultivators as the cost of clearing water-hyacinth?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have no information on this point.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state whether water-hyacinth alone is responsible for the failure of *aman* paddy?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: A great deal of the loss is certainly due to water-hyacinth.

Maulvi MUHAMMAD ISRAIL: With reference to answer (*c*), will the Hon'ble Minister be pleased to state whether the Special Officer has any other duty besides that of the eradication of water-hyacinth?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That is the duty for which he is paid by Government.

Number, qualifications, etc., of Debt Settlement Officers appointed after November, 1937.

*242. **Mr. JOGENDRA NATH MANDAL:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether it is a fact that some Debt Settlement Officers have been recently recruited?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the number of such officers appointed after November, 1937, mentioning their names, academic qualifications and the communities and districts to which they belong?

(*c*) Were the vacancies duly notified for general information?

(*d*) If the answer to (*c*) is in the negative, what procedure was adopted for recruitment?

(*e*) How many of such appointments have been made from the Scheduled Castes candidates?

(*f*) Will the Hon'ble Minister be pleased to state—

(*i*) their names, qualifications and age and the respective districts to which they belong; and

(*ii*) how many of them have had previous employment under Government?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) to (*f*) (*i*) The hon'ble member is referred to the reply given to the starred question No. 82 and to its supplementary questions during the current session of the Assembly.

(*ii*) One.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Purchase of stud bulls.

51. **Mr. SASANKA SEKHAR SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) the procedure adopted by Government for the purchase of stud bulls for the Province through the department;

(*ii*) whether it is a fact that stud bulls are purchased through a contractor of Lahore selected by the Live-Stock Expert without inviting tenders;

(*iii*) whether a number of male calves with milk teeth and bulls of inferior quality have been purchased during the last two years;

(*iv*) whether it is a fact that complaints regarding the age or the size of the bulls have not received attention;

(*v*) how many stud bulls purchased have died during transit or within three months of their arrival in Bengal in course of the last two years; and

(*vi*) whether it is a fact that nearly 1,200 bulls have been so far purchased through the Live-Stock Expert at an average price exceeding Rs. 150 each?

(*b*) Is the Hon'ble Minister aware that the price of a bull in the Punjab does not exceed Rs. 50 each?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) (*i*) Bulls are purchased from a reliable cattle-dealer in the Punjab.

(*ii*) Yes. The purchase of stud bulls cannot be done on the basis of the lowest tender which would result in the supply of inferior stock.

(*iii*) No.

(*iv*) There were very few complaints and they were promptly attended to by the Live-Stock Expert and his assistants and were found incorrect on enquiry.

(*v*) No bulls died in transit. Thirteen bulls died within three months of arrival.

(*vi*) 1,000 bulls have been purchased for Rs. 150 each inclusive of the cost of transit to any station in Bengal.

(*b*) No. In fact Bengal is paying less than what other provinces are paying for similar bulls.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the so-called reliable cattle-dealer of the Punjab referred to in answer (*a*) (*i*), is no other than Lala Bhagwan Das, who is an old friend of Mr. Gossip and whom he met in Lahore?

Mr. SPEAKER: I am afraid, Dr. Sanyal, that the latter portion of your question is not relevant.

Dr. NALINAKSHA SANYAL: All right, Sir, I shall put my question afresh. Is it a fact that this reliable cattle-dealer of the Punjab, I mean Lala Bhagwan Das of the Union Dairy Company, was known to Mr. Gossip beforehand?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have no information.

Dr. NALINAKSHA SANYAL: Is it a fact that the price of stud bulls in the Punjab never exceeds Rs. 50 per head?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: According to my information, it is an incorrect statement.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state who has certified as to the reliability of that cattle-dealer of the Punjab—I mean who is the particular officer of the Government of Bengal in the Department of Agriculture who has so certified?

Mr. SPEAKER: How does your question arise in this connection?

Mr. SYED JALALUDDIN HASHEMY: The Hon'ble Minister has stated in his answer that bulls are purchased from a reliable cattle-dealer in the Punjab. I want to know how he has ascertained that the dealer is reliable or not and who has certified as to his reliability.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government depend in these matters on their Live-stock Expert.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the ages of the stud bulls purchased?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice, Sir.

Dr. NALINAKSHA SANYAL: Is it a fact that complaints were made to Government by Mr. Morshed, District Magistrate of Mymensingh, and Mr. Symons, District Magistrate of Howrah, to the effect that the stud bulls supplied to them were not of the requisite age?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of that.

Dr. NALINAKSHA SANYAL: Is it a fact that after these complaints were made, circulars were issued by the Department of Agriculture stating that no complaints of that nature would be entertained?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of that.

Dr. NALINAKSHA SANYAL: Is it a fact that a particular dealer's servant who came with a bull calf to Malda admitted before the District Magistrate that the price of the calf was only Rs. 25?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have no information.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister give this assurance to the House that orders for stud bulls will be placed not on the basis of the highest tender but on the basis of the lowest tender?

Mr. SPEAKER: That question does not arise.

Mr. SASANKA SHEKHAR SANYAL: With reference to answer (*ii*), will the Hon'ble Minister be pleased to state if it is impossible for Government to advertise the matter?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I shall consider that.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Director of Agriculture has issued a circular stating that calves with milk-teeth can be employed in service?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state with reference to answer (*b*), if the Senior Marketing Officer of the Government of Bengal reported that in the adjoining provinces they are getting bulls cheaper?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I would like to correct this information of my honourable friend. In Bombay the bull that costs Rs. 250 we are getting in Bengal for Rs. 150

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the prices paid in Bihar and United Provinces?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Mr. SASANKA SHEKHAR SANYAL: The Hon'ble Minister was pleased to state that the bull which cost Rs. 250 in Bombay is being purchased by the Government here for Rs. 150: may I know if there is any officer of Government to verify it?

Mr. SPEAKER: That question does not arise.

Detenu Paresh Chandra Sanyal.

52. Mr. CHARU CHANDRA ROY: (*a*) Is the Hon'ble Minister in charge of the Home (Special) Department aware that detenu Paresh Chandra Sanyal is not allowed to have interview with his elder brother?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons?

(*c*) Is it a fact that the said detenu has been ailing at present?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) and (*b*) One such request from his brother was refused for reasons which I am not prepared to disclose.

(*c*) His condition has much improved and he has been sent to his home.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether it is a fact that Monmotha Nath Sanyal, brother of detenu Paresh Chandra Sanyal, applied to the Government on various occasions for interview but no reply was given to him?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether it was due to any violation of jail rules that the interview was refused?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government are not prepared to disclose the reasons.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state if it is a fact that on the 23rd November Kiranbala Devi, wife of Monmotha Nath Sanyal, was written to to have an interview with Paresh Chandra Sanyal, but when she went to the Presidency Jail the interview was not allowed?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if it is on account of hushing up the matter that the reasons for the refusal of interview are not being disclosed?

Mr. SPEAKER: That question does not arise. You know very well that such questions do not arise. Supplementary questions should be put for eliciting information only and no question in the nature of insinuation should be put.

Mr. ATUL KRISHNA GHOSE: On a point of information, Sir. If the Hon'ble Minister refuses to give a reply on a question of very grave issue because of some reasons, are we not entitled to ask for the reasons? If not, then in every case he can give the same reply.

Mr. SPEAKER: I am afraid, Government are fully entitled to say that they are not prepared to disclose the reasons and you are also fully entitled to ask for the reasons why Government cannot disclose them. But I do not think you are entitled to insinuate.

Appointment of Scheduled Castes in the criminal courts.

53. Babu KSHETRA NATH SINGHA: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the present total number of clerks in criminal courts in each district of Bengal showing in a table the number of—

(*i*) Caste Hindus,

(*ii*) Scheduled Castes, and

(*iii*) Muhamadans; and

(*b*) what steps do the Government propose to take to accelerate the progress of appointments for the Scheduled Castes to reach the fixed quota prescribed by Government circulars issued in 1931 and 1936?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) The information is not available as no separate staff is entertained for criminal courts.

(*b*) An annual return is prescribed from the District Officers which is scrutinised by Government with a view to watch progress in the appointment of members of Scheduled Castes.

In districts where the number of such recruits is too small, Government will bring the matter to the notice of the District Officer concerned.

Clerks in the Faridpur Collectorate.

54. Maulvi AHMED ALI MRIDHA: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing—

(*i*) the present number of permanent and temporary clerks under the Collectorate of Faridpur (including those serving in the subdivisions); and

(*ii*) the number of them that are—

(1) Mussalmans,

(2) Caste Hindus,

(3) members of the Scheduled Castes, and

(4) others?

(*b*) Are the Government considering the desirability of raising the percentages of Mussalmans and members of the Scheduled Castes in such employments?

(*c*) If so, to what proportion?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) A statement is laid on the table.

(*b*) and (*c*) The question of communal percentage in public services is at present under consideration of Government.

For existing percentage of ministerial appointments to be held by Muhammadans, rule 58 of Board's Miscellaneous Rules, 1934, may be seen (a copy of relevant rule is placed on the Library table). As regards percentage of posts to be held by members of backward classes copies of Appointment Department Memorandum Nos. 3540-3554A., dated the 28th April, 1931, and 9898A., dated the 21st September, 1936, which are placed on the Library table may be seen.

Statement referred to in the reply to clause (a) of unstarred question No. 54.

	Permanent.	Temporary.
(1) Mussalmans	49	12
(2) Caste Hindus	70	19
(3) Members of the Scheduled Castes	8	4
(4) Others	1	..
Total ..	128	35

Maulvi AHMED ALI MRIDHA: With reference to answers (*b*) and (*c*), will the Hon'ble Minister be pleased to state how long Government will take for consideration of this matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is very difficult for Government to give any definite date, but they hope to come to a decision before long.

Number of appointments made in the Co-operative Credit and Rural Indebtedness Department since 1st April, 1937.

55. Mr. MD. ABUL FAZL: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) the total number of appointments made in the various departments and branches under his charge since 1st April, 1937;

(*b*) the number of such appointments that have been given to

(*i*) Muslims, and

(*ii*) Scheduled Castes?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) 62.

(*b*) (*i*) 27 and (*ii*) 10.

Mr. PRAMATHA RANJAN THAKUR: With reference to (*b*) will the Hon'ble Minister be pleased to state if any communal ratio was fixed by Government before appointing these 62 persons in the various departments under his charge?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: These 62 persons represent 52 special officers and 10 clerks in the office.

Enquiry regarding the deletion of a portion of Assembly Proceedings.

Dr. NALINAKSHA SANYAL: May I rise on a point of privilege, Sir. I would like to draw your attention to page 250 of the Proceedings No. 2, Volume 52, dated the 24th February last, wherein it is reported that certain portions of my remarks have been omitted. I draw your attention to rule 131 of the Rules and Standing Orders where it is stated that "the Secretary shall also cause to be prepared a full report of the proceedings of the Assembly at each of its meetings, and publish it as soon as possible". May I enquire, Sir, under what authority and who has expunged this potrion of my remark? I submit, Sir, if there is any cause for expunging any remark of any member, it should be the privilege of the House; and if there is any occasion for the same, it should be decided with the permission and concurrence of the House whether any portion of the remarks should be expunged or not.

Mr. SPEAKER: I am not aware of it. I will look into the matter.

Enquiries regarding cut motions.

Mr. AFTAB ALI: On a point of information, Sir. I submitted two cut motions in connection with labour, but I find on the agenda that none of the cut motions has been put.

Mr. SPEAKER: It is on the original agenda.

Mr. AFTAB ALI: Can I move them?

Mr. SPEAKER: When the time comes, certainly you can.

Mr. ABDUL BARI: On a point of information, Sir. You were pleased to give us an assurance regarding the ruling to be given by you as to the effect of cut motions to be moved. May we know when we can expect that ruling?

Mr. SPEAKER: I am afraid, I shall have to wait till to-morrow. The note I have written is so long that I shall have to revise it. But I hope to give the ruling to-morrow.

DEMAND FOR GRANT.

"37—Education—General".

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,33,45,000 be granted for expenditure under the head "37—Education—General".

Mr. SPEAKER: I think it would be convenient if I adjourn the House now for 10 minutes for prayer.

The House was adjourned for 10 minutes.

(*After adjournment.*)

Maulvi ABDUL BARI: I beg to move that the demand of Rs. 1,33,45,000 under the head "37—Education—General" be reduced by Rs. 100, in order to raise a discussion about inadequate representation of Mussalmans in the Senate and Syndicate of the Calcutta University.

This motion has been mooted not only to criticise the present state of affairs in the Calcutta University, not only with regard to the representation of the Mussalmans in the Senate and Syndicate but also to indicate the protest and the grievances of the Mussalmans in the various departments under the Calcutta University. It is also intended by this motion to draw the attention not only of the Hon'ble Minister in charge of Education but also the pointed attention of the Vice-Chancellor of the Calcutta University and of the Chancellor to whom a report of this debate may be forwarded. This motion is not one only of criticism but an appeal to the Vice-Chancellor and the Chancellor to increase sufficiently the number of Mussalmans in the Senate and the Syndicate of the Calcutta University.

The University of Calcutta is a national institution because it caters to the requirements that go to make a full-fledged, strong and stout nation. Education is a necessity not only for an individual human being but it is a primary necessity of a nation. The nation so far as Bengal is concerned does not consist of a particular community but it consists of several communities inhabiting this land of Bengal and the Mussalmans are not a mean figure, a mean body in the body politics of Bengal. In order to carry the Mussalmans to the path of national movement it is necessary to bring them into line with other communities and for that they should have necessary educational facilities for developing themselves on proper lines.

So far as the Calcutta University goes, it will be a startling news to the members of this House as well as to those outside to learn that in a Senate consisting of 100 members, only 21 are Mussalmans and in a body of 70 in the Syndicate there is only one Mussalman. Since the passing of Act VIII of 1904 or even previous to that since the creation of the University in the year 1857 only one Muhammadan gentleman, namely, Sir Hassan Suhrawardy, I am informed, was appointed as the Vice-Chancellor of the Calcutta University and I may also say at the same time that that gentleman also during his Vice-Chancellorship did not inspire much confidence in the Mussalman community and in the Mussalman students, because perhaps he found at that time that there was not a sufficient number of Mussalmans in the Senate and the Syndicate to back him in the programme and policy which he wanted to lay down and to initiate in the University of Calcutta. The result of this inadequacy of the Mussalmans in the Senate and the Syndicate has been that their legitimate grievances in every department have been ignored. If you will be pleased to look into the figures you will find, so far as the clerical staff of the Calcutta University is concerned, that out of a total strength of 180, only two are Muhammadans and no more. (Cries of shame.) If you will be pleased to look into the staff in the Post-Graduate Department including Arts and Science, you will be astonished to see that out of a total of 88 Professors, only 2 are Muhammadans. If you will be pleased to look to the figure of temporary part-time lecturers you will find that out of 73 including 37 in Arts, 5 in Science and 31 in Law——.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. How are these relevant to the motion under discussion? The motion is with reference to the paucity of the number of Mussalmans in the Senate and Syndicate. Is the hon'ble member entitled to go over the entire field of the internal administration of the Calcutta University in this connection?

Mr. SPEAKER: You will remember that not only this motion but the general motion of the Hon'ble Mr. A. K Fazlul Huq is open to discussion, and as such, if a member touches all matters in connection with it, I cannot stop him.

Dr. NALINAKSHA SANYAL: In the motion that he put before the House he only mentioned the inadequate representation of Mussalmans in the Senate and Syndicate.

Maulvi ABDUL BARI: My friend Dr. Sanyal says how is it relevant?

Mr. SPEAKER: I think you can leave that point.

Mr. PRAMATHA NATH BANERJEE: No one is taking you seriously. You may go on.

Maulvi ABDUL BARI: So far as part-time lecturers are concerned they make a total of 73—31 in Arts, 31 in Science and the rest in Law.

The Hon'ble Mr. A. K. FAZLUL HUQ: On a point of information. Have I got to be ready for a general onslaught in the whole field of Education?

Mr. SPEAKER: That cannot be helped. Since you have moved the original demand you must be prepared for this.

Maulvi ABDUL BARI: Of the higher officers of the Calcutta University, who are 7 in number you will not find a single Muhammadan. Then again, Sir, if you just look to the number of examiners of the year 1937—I am not going to other years—you will find that out of two thousand examiners appointed for various examinations, only one hundred are Mahomedans. Then, Sir, if you will be pleased to look to the representation of the Mahomedans in the body of paper-setters, modulators——

Mr. SYAMAPRASAD MOOKERJEE: "Moderators" and not "modulators"!

Dr. NALINAKSHA SANYAL: You modulate your voice.

Maulvi ABDUL BARI: Registrar, Controller, Assistant Controller, Secretary of the Post-Graduate Studies and in other departments, you will find that not a single Muhammadan has been appointed ever since the University of Calcutta was created.

Dr. NALINAKSHA SANYAL: Why did you not apply?

Maulvi ABDUL BARI: This is the state of affairs that you find prevalent in the Calcutta University. Now it will be said what it has got to do with the non-representation of Muslims in the Senate and Syndicate of the Calcutta University. That has got to do a great deal with this, and if there had been a sufficient number of Muslims in the Senate and Syndicate then the claims of the Muslims in those bodies could not have been overlooked as it has been. Then again if there had been a proper representation of Muslims in the Senate and the Syndicate of the Calcutta University the question of "*Sri and Lotus*" which agitated the country so long and for so many months past, would not have arisen at all.

Dr. NALINAKSHA SANYAL: Now the cat is out of the bag!

Maulvi ABDUL BARI: Now, Sir, I must thank the Calcutta University that the crest has been replaced by a new one; of course, after much agitation. I must tell the House, through you, Mr. Speaker, that that is a thing which would not have arisen at all, had the number of Muslims in the Senate and Syndicate been adequate. Then, Sir, it may be argued by Government that the Government or the Vice-Chancellor has got absolutely no authority in the matter. If an argument like that be advanced then my reply will be section VI, clause I of the Act of 1904, which lays down clearly that all nominations of the Fellows of the Calcutta University should be made by the Chancellor, excepting 20. Therefore, Sir, the Statute does not stand in the way of increasing the number of Muslims. So far as I know the procedure is that whenever there is any vacancy in the Senate or in the Syndicate, it is the duty of the Vice-Chancellor to recommend names to Government and through Government to the Chancellor, though the Chancellor is the ultimate authority, to nominate persons to the Senate and the Syndicate of the Calcutta University. Now, Sir, I also want to tell the Chancellor of the Calcutta University that the claims and the demands of the Muslims can no longer be ignored. Let this House know, and let the world outside also know, let the Vice-Chancellor and the Chancellor also know, that Muhammadans were a slumbering nation so long so far as Bengal is concerned. But, now, Sir, they have waked up from the langour, and their long-drawn-out sleep. These Muhammadans should not be treated any longer as so many dumb and hypnotised animals of the day, but they are like lions who can roar and roar till their demands are satisfied. I may tell the Hon'ble Minister that the claims of the Muhammadans should not be treated with abject contempt as they have been done so long. If necessary it lies in the hands of Government to change the Statute to bring in a Bill for amending the Act of 1904 as further amended by the Act of 1921, so that some remedy, so far as this question is concerned, may be devised. Then again, Sir, so far as this question is concerned I will also appeal to my friends in the opposition, I mean my friends of the Congress; of course, I am not going to criticise the Congress in this matter, but I want them to help us in achieving our legitimate aspirations and ambitions, as we constitute a part of the great Indian nation, as my friends of the Congress do. Sir, it is an admitted fact that the Muhammadan community is also a substantial and potent factor which contributes to the making of the whole Indian nation. If one part of the nation is weak certainly the whole nation is bound to be weak. The Muhammadans are sometimes accused by our friends of the Congress for not taking an active part in Congress politics. They do so because they feel that their position so far as the Congress is concerned is not quite

secure. I will appeal to them to help us in giving proper education and proper representation to the Muhammadans not only in the Senate and Syndicate and other services, but in every other matter, so that they will find that in the battle of freedom they will not be lagging behind. This is a grievance which is not the grievance of the Muslims only, but should be the grievances of all those who love the country, and love it with a genuine heart.

A voice: Why not join Congress!

Maulvi ABDUL BARI: It is for the Congress to show the way by their activities and to inspire confidence in the Muhammadans that the Congress is prepared to accede to the demands of the Muhammadans and certainly you will then find that they are prepared to join the Congress; but, so long as this gesture is not coming, so long as they are not getting their proper and adequate share in the administration of the country, how is it possible for them to merge themselves into the Congress, in order to get what are their rightful duties?

(The member having reached the time-limit resumed his seat.)

Maulvi ABDUL LATIF BISWAS: Mr. Speaker, I rise to support the motion of my friend Mr. Bari. Mr. Bari has depicted the melancholy picture of the Calcutta University, where the Muslims are not granted their legitimate share in the administration of the Calcutta University or its services. The Muslims are fully conscious of the fact that their rights, their privileges have been denied to them, their demands have been trampled down. It is a pity, Sir, that the Senate consisting of one hundred members has not given more than 21 seats to the Muslim community, and the Syndicate which is the executive body of the University has closed its doors to the Muslims and only one has been allowed to enter. Sir, the painful effect and the painful result of this monopoly for the Hindus—I mean the caste Hindus, representing only 6 per cent. of the population of this great province of Bengal—have shocked the Moslem community and shocked them rudely. Sir, the Moslems have experienced that their rights and privileges have been negatived by the University of Calcutta where the Hindus—I mean, the caste Hindus—are reigning. Sir, in the matter of service, as my friend Mr. Abdul Bari has just now said, it is found that the Moslems have been neglected and their rights have been denied, and these things suggest and indicate that in the University of Calcutta communalism has been the rule, favouritism the practice and nepotism the precedent. May I ask, Sir, the honourable member representing the University of Calcutta, who is no other than the Vice-Chancellor of the University, what answer can he give to this representative House why only an insignificant minority has been taken in the matter of appointment?

My friend, Mr. Abdul Bari, has given the figures, and with your permission, Sir, I would like to add one or two items more. Sir, I am taking the question of the University Press where we find that out of 29 hands, the Muslims have got none; in the Library we find that of the 11 appointments the Moslems have got none; in the office of the Controller and in the Controlling Department no Moslem has ever held any appointment. Sir, in order to give the true estimate and appreciation of the reality of the thing, I would draw the attention and the particular attention of this representative House to a fact which will show how the Moslem claim has been denied, how the Moslems have been neglected and how they have been shabbily treated. I am drawing the particular attention to the number of appointments as well as the amount of money which is going to the pockets of the respective communities. Sir, what the Moslems are getting in the shape of appointments in the University of Calcutta is this—there are only 8 Moslems who have got appointments in the University of Calcutta, whereas 547 appointments have gone to the other community. These 8 Mussalmans are drawing a sum of Rs. 1,295 monthly as their pay, whereas a sum of Rs. 1,16,516 is going to the pockets of the Hindus every month,—I mean, mostly the caste Hindus. Is it not a melancholy picture, Sir, is it not a denial of justice, is it not a denial of the legitimate right, the denial of the very existence of the Mussalmans who represent the 56 per cent. of the population of this vast province? I do not cry for mercy. Justice is the strength and equity is the pillar to a great institution like this, and if justice and equity is denied to the Moslems, the Moslems are not ready to tolerate all these things. As a representative of the great Muslim community of Bengal, justice I demand and mercy I hate, equity I stand upon and favouritism I discard. May I not ask the honourable member—I mean, the Vice-Chancellor, to say whether in the present University of Calcutta which is predominantly ruled by the other community, the rights and privileges of the Moslems will be safeguarded, whether the Moslems will get their legitimate share, their legitimate right? May I not ask him whether he is ready to declare on the floor of this House that they as a community which have wielded the power up till now in this province are ready——

Mr. SPEAKER: I am afraid, you cannot call upon the Vice-Chancellor of the Calcutta University to make a reply to your charge.

Maulvi ABDUL LATIF BISWAS: I am not calling upon the Vice-Chancellor, but through you, Sir, I am calling upon the honourable member representing the University to make a reply. Sir, this hostile attitude of the University of Calcutta towards the Moslems and Moslem demand, and this negation of the rights and privileges of the Moslems by the University, which may be rightly called the University of the

caste Hindus, have made the Moslems suspicious. Sir, this attitude of the Calcutta University betrays a mentality which may be called anything but honest and creditable——(Laughter from the Opposition Bench)——

Dr. NALINAKSHA SANYAL: Are you honest?

Maulvi ABDUL LATIF BISWAS: I have not called the University dishonest, but I have called it as anything but honest. Sir, my friend, Dr. Nalinaksha Sanyal, is feeling very nervous because of this debate in the course of which a naked picture of the affairs of the Calcutta University is being placed before the eyes of this representative body. That is why when my friend, Mr. Abdul Bari was talking as to the realities of the thing, he raised an objection and also a point of order as he is always accustomed to do. Sir, the seat of learning must inspire confidence, the seat of learning must inspire a spirit of justice in young minds. Young graduates are coming out from this University with high hopes and ideas. Is it not reasonable that this great university under the leadership of this great Vice-Chancellor will infuse spirit into the minds of young graduates so that they may, when they occupy positions in public life, will show justice and equity? Is it not reasonable that young graduates, when they come out of the University, will be able to place their ideals before the people? Every individual observer whose vision has not been blurred by the heated atmosphere of selfishness and communalism, must admit that the Muslims have not been given their right place in the administration of this University—

(The member having reached the time-limit, resumed his seat.)

Mr. M. A. H. ISPAHANI: It was my intention to take part in the debate on the (Government of Bengal) grant to the Calcutta University last year, but as the representative of the University was away, I did not consider it fair to criticise the policy of a person who was not given an opportunity to defend it.

Sir, I should like it to be clearly understood that although I am pleading for more Muslim representation and the creation of a better atmosphere in the administration of the University, I am speaking on behalf of the general public, for, the grievances I am ventilating before the House are wide-spread and universal—Hindus, Christians and Muslims all suffer under it. A generation ago Bengal was the leading province of India, not only in name but in fact. But what a different picture does it present to-day! Without strength and vitality, without education and culture, without courage or determination, without high ideals or moral scruples torn asunder by mutual jealousies and communal discords, Bengal is wallowing in the slough of despond.

There is not the slightest doubt that the system of education in vogue has largely contributed to this deplorable result. Sir, quality has been sacrificed to quantity, and a stream of half-educated and half-starved creatures, without employment and without hope, has been let loose by the Calcutta University to add to our miseries and swell the number of the unemployed. These are being reproduced at a rate faster than nuts and bolts in the Ford Factories, with this difference that Mr. Ford does his work with efficiency. The University has passed into the control of a triumvirate and a caucus whose motto is not the "advancement of learning", but the "advancement of the self". Enlightened and independent persons have been carefully weeded out of the Senate and Syndicate and replaced by men who have either no views, or are unable to express their own views. The different Faculties have been similarly packed and padded with subservient people. In the Faculty of Law, for example, no room has been found for the two Principals of the two Law Colleges in Calcutta, and legal men of standing and distinction are conspicuous by their absence.

As regards the administrative machinery, the key positions are all held by the Vice-Chancellor's relations and retainers—

Mr. SYAMAPRASAD MOOKERJEE: I do object, Sir, to the remark of the hon'ble member. I think it is not fair that he should make such a casting reflection on any officer of the University. As you said, Sir, I am not here as the Vice-Chancellor, but I represent the graduates of the University.

Mr. SPEAKER: Mr. Ispahani, I hope you will refrain from making any personal reflection.

Mr. M. A. H. ISPAHANI: Mr. Speaker, Sir, I want to show to the House and to the public of Bengal that everything that is going on in the University is not in the best interests of the University, and in my wanting to demonstrate this fact I have got to bring forward examples, and I am prepared to substantiate every utterance of mine with definite proofs and statements. I am prepared to submit them to the House.

Mr. TULSI CHANDRA GOSWAMI: Will the Hon'ble Member kindly substantiate his statement that the University is manned by the relations of the Vice-Chancellor? He made a very definite statement to that effect.

Mr. M. A. H. ISPAHANI: I shall, when necessary.

Mr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, either you will make the hon'ble member withdraw this statement, or let him come forward with facts and figures to show that the University is manned by the relations of the Vice-Chancellor.

Mr. SPEAKER: I do not think I have got any right to make a member withdraw so long as he is not unparliamentary. I have given him an advice that it is not desirable that in the Legislature affairs of local bodies should be discussed from their detailed points of view. He can discuss the general subject. It is open to him to take note of what I have said, but I cannot absolutely rule him out.

Mr. TULSI CHANDRA GOSWAMI: Is it open to us in view of an atrocious statement to say that it is a lie?

Mr. SPEAKER: I do not think you can say "it is a lie."

Dr. NALINAKSHA SANYAL: It is a lie.

Mr. SPEAKER: Dr. Sanyal, you cannot say it. You must withdraw.

(There was a great confusion in the House and cries of "withdraw, withdraw" from the Coalition Benches.)

Mr. SPEAKER: Order, order. Dr. Sanyal, you must withdraw that expression.

Dr. NALINAKSHA SANYAL: Let the hon'ble member withdraw his statement.

Mr. SPEAKER: He is not making any personal charge against any member of this House.

Dr. NALINAKSHA SANYAL: He has made a personal charge against the Vice-Chancellor.

Mr. SPEAKER: The Vice-Chancellor is not a member of the House. You must withdraw your expression.

Dr. NALINAKSHA SANYAL: His statement is not true, Sir.

Mr. SPEAKER: You must withdraw your expression that it is a lie.

Dr. NALINAKSHA SANYAL: I withdraw, but I insist on saying that his statement is untrue.

(Cries of "shame, shame" from Coalition benches, and "shame on those who tell lies" from Congress Benches.)

Mr. M. A. H. ISPAHANI: At the present moment, Sir, almost a lakh of rupees finds its way annually by way of salaries alone into the pockets of the Vice-Chancellor's relations and his friends.

(There was a great uproar in the House and there were cries of "it is a lie" from Congress Benches, and "shame, shame" from Coalition Benches.)

Mr. SPEAKER: Order, order. I hope members will realize that that is a statement of a particular member which can be challenged by every other member, but if the challenge comes in such a form and in such a way that it stops him from speaking, it is not fair.

Dr. NALINAKSHA SANYAL: We must say that the hon'ble member should not make such reflections, and if the Speaker is not prepared to help us in this matter, I am afraid there is no use of sitting in this House.

Mr. SPEAKER: Order, order, Dr. Sanyal.

Dr. NALINAKSHA SANYAL: I am withdrawing from the House, Sir.

Mr. SPEAKER: I must hold that your remark is absolutely beyond point.

(At this stage Dr. Nalinaksha Sanyal withdrew from the House, followed by cries of "shame, shame" from the Coalition Benches.)

Mr. SANTOSH KUMAR BASU: Disgrace, disgrace.

Mr. M. A. H. ISPAHANI: A typical example of the methods adopted in making these appointments is furnished by the case of the Officiating Principal of the Law College. Two years ago, he was installed in the Vice-Principal's Chair without previous notice or advertisement, although he had no claims to the appointment on the ground of seniority or otherwise. The previous Vice-Principal, was retained in office till the age of 69 to prevent anyone else getting in before the caucus after gaining full power, could put in their own man.

The permanent incumbent was quietly given leave, the news of his retirement withheld from his colleagues and the new officer admitted through the back door.

The vast powers of patronage have been utilised by the caucus to fill up positions in every department of the University with friends and followers till the army of mercenaries recruited from professors, lecturers, superintendents, assistants, accountants, clerks, typists, printers and even peons has swollen to enormous proportions. Rules and regulations in reference to appointments, tenure of office, leave, retirement, pay, pension or provident fund are made and unmade, used and abused, to suit the personal requirements of the persons in authority.

Criticism is stifled and opposition removed by questionable methods. Likely critics are muzzled by favours granted to their relations. Weaknesses of influential people are observed and pampered in order to obtain their support. I am compelled——.

Mr. SPEAKER: Mr. Ispahani, your time is up.

Mr. M. A. H. ISPAHANI: Mr. Speaker, Sir, may I have two minutes more. Six minutes of mine were taken up——

Mr. SPEAKER: I am afraid, I cannot.

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, though I speak from my own personal experience and though I know that I am speaking only in a personal capacity, I know, nevertheless, that I am speaking on behalf of a class of people which appreciates Government's difficulties in these matters, appreciates all the fine efforts made to do good work despite these difficulties, and which is prepared to support it in this matter. I may explain that though I have taken a small part in the administration and the work of the University for more years than I care to think of, I am not a relative of the Vice-Chancellor, nor do I receive large sums of money by way of salary from the University coffers. (Laughter.)

Mr. Speaker, Sir, a few days ago I was pleased to hear that one communal difficulty which for years had disturbed our relations and poisoned our lives, had been disposed of by the wisdom and goodwill of the Prime Minister as such and in his capacity as Minister for Education, the Vice-Chancellor, and leaders of various groups in this House. And I wondered whether after so many years of familiarity with it we might not feel naked without the warmth it had always given to our budget discussions. It is clear that I need not have been afraid. For we have the communal difficulty still with us; what we solve in one direction we see reappear from another. My view has always been (and

I have spoken in this way in this House on more than one occasion) that while I hope to see more Muhammadans associated with the work of the University in its Senate, Syndicate, Boards and other bodies, I do not think that coercion of any kind is the way to bring that about. I have always maintained that it should come as a natural consequence of the increasing part played by the Moslem community in the higher education of the province.

I know there are only 20 or so of the 100 members of the Senate who come from that community. But I have sometimes sat down and wondered what other Moslem friends of ours there are engaged in higher education in this province, or devoted to higher Islamic scholarship who are available and might be willing to assist the University. I do not profess to know everything about this province, but I find it hard to think of any, and I may observe that presumably the Chancellors, Ministers of Education and Vice-Chancellors have found themselves in the same difficulty when we look through, as I looked through the other day, the lists of teachers in the colleges of this province, we find on a rough calculation about 100 Muslims among them, and of these some 30 come from one college in Calcutta established for Muhammadan students. Now the University on its Senate, among its 100 members, has to find representation for its own university colleges, the other colleges in Calcutta, the colleges in the mofussil, the legal profession, the medical profession, the engineering profession, and certain other interests. It must ordinarily, I suppose, find room in a body of 100 members for two representatives of a college, and the only source so far as I know from which a larger strength of Muslim representation might be drawn at this moment is that college. But no college can reasonably expect more than one or two representatives on the Senate when we have 40 or 50 colleges and so many other interests that require to be properly represented

I hope that young Muslims will be coming forward through the higher degrees of the University to take a larger and larger part in University affairs. Let me however say one thing here. In this House I think we take a wrong view of the way in which work is done elsewhere. In the University we do not arrive at policy by communal votes (cries of "hear, hear). One community does not put down another by the strength of its vote. I suppose it has been almost unknown that any big question of policy has come forward which resolved itself into a matter for decision as between Hindus and Moslems; nor when we decide matters of high education in Senate or Syndicate or Boards of Studies are we conscious of one another as Hindus, Muslims, Europeans, Indian Christians or anything else. We are all men working on certain problems in a manner that we get accustomed to through our training in academic work. The Boards of

Islamic Studies in the University are always, I believe, entirely composed of Muslim gentlemen with the occasional exception of a stray European who has interested himself in Islamic studies.' That is reasonable, just as it is reasonable that the Boards of Sanskritic studies should be entirely or almost entirely composed of Hindus who have given their lives to Sanskritic studies. On other boards and bodies we do want different people to represent different views. On most we want someone who can put forward the Hindu view, the Muslim view, the European view, the Indian Christian view about matters that may especially concern those communities. Provided you have representatives of those communities it does not matter whether the majority are Hindus or Muslims or Europeans or what they are. The essential thing is that they shall be educationists dealing with educational problems in an educational atmosphere.

So it seems to me Mr. Abdul Bari makes a mistake when he interprets everything done by the University according to his experience in this House. We are faced with a difficult problem. The University by university traditions and by the traditions of scholars must solve its problems in an academic way detached from communal rivalry. Politicians representing communities must look at these things in a way that more concerns their communities. The two sides while holding their views genuinely have to work on different planes. What we as legislators must do is to find some opportunity of getting these different planes to meet, if such a geometrical achievement is at all possible I am sure that in this Assembly of the representatives of a great province there is the wisdom, if we apply it calmly, and if we discuss to learn and not merely to dispute, we shall discover how to reconcile views that have long seemed to be irreconcilable.

As a member speaking for this group and as one who has long taken a small part in serving the University—and I claim always to have done this to the best of my ability and with the best of motives—I think we should adopt towards this difficult matter a better spirit than has been adopted in the Bengal Legislature for some years. As a last remark I would say as a member of the European community that though few of us are directly concerned with the activities of the University, as a community we are by no means indifferent to the difficulties of the University, to the problems it has to face, to the necessity it is under of doing great things with inadequate resources. And I may remind you that this was recently shown in the Bengal Chamber of Commerce when the President from the Chair referred to the admirable efforts the University is making to meet the very difficult and depressing problem of unemployment and promised the assistance of Civil Street and the other European firms of the province in its efforts.

Mr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, I am rather in a difficult position when I rise to speak on the motion before the House. I represent, Sir, the graduates of my University in this Assembly and it is by an accident that I also happen to be the Vice-Chancellor of the University, against whom serious reflections have been wantonly made.

I shall take first the most surprising attack which has come from a person whom I respected as a gentleman. Sir, Mr. Ispahani started by saying that last year he was good enough not to launch an attack on the University and on me because its Vice-Chancellor was absent on account of illness during the budget debate. If that were his honest motive, I would have expected, not only for his own sake, not only for the sake of the community to which he belongs, but for the sake of those abstract principles which he claims to stand by, such as justice, fair-play, equity, morality and so forth, that he should have written to me saying that "I, the great Mr Ispahani, have serious allegations to make against you and the University, but before I do so openly in the Assembly I would like to be satisfied as to the actual state of affairs." Sir, I should have expected this from him, for this reason only that he is not a member of the Syndicate or the Senate or any of the University bodies and has no personal knowledge of its affairs. Whatever information he might have received, it must have emanated from persons who themselves were not disinterested, persons who had been disgruntled and disappointed, persons who might have various motives for approaching him for the purpose of attacking me and the University. Sir, Mr Ispahani did nothing of the kind. On the other hand, he rises here and springs a surprise on us by casting all sorts of reflections which are wild and unfounded, asserting untruths and half-truths not only against me but against the University, its staff, officers and members.

Sir, I shall take his first allegation, —viz., that the University has now fallen from great heights! What is the evidence, what are the facts and what are his credentials which entitle him to make such sweeping remarks? Only three months ago we had here the joint session of the Indian Science Congress and of the British Association for the Advancement of Science, a body for which I hope even Mr. Ispahani entertains a little respect. Now, Sir, I would refer him and the House to the tributes which have been openly paid to the much-maligned University of Calcutta by members of the foreign Delegation, who are certainly not my relations and whom the University has not paid thousands or lakhs for the purpose of making statements in favour of its administration or educational policy. I could mention many other persons who are not jaundiced as Mr. Ispahani is, but are fair and open-minded, who came here, saw things, appreciated them, told us where we should improve, but at the same time ungrudgingly paid the University tributes where such tributes were undoubtedly due.

Astounding and unfounded charges have been brought against me as Vice-Chancellor that I had packed University bodies with subservient men and that I have appointed my relations and friends to key posts in the University. Sir, I am not going to refer in detail to these baseless attacks and insinuations which Mr. Ispahani has heaped upon me. I shall only say this: let him go outside this House and repeat these allegations under his signature to-morrow and I shall take him to the proper place for getting my remedy—a remedy I shall not ask for in vain from the members of the Legislature here—

Mr. TULSI CHANDRA GOSWAMI: Would he have courage to do that?

Mr. SYAMAPRASAD MOOKERJEE: He said that one lakh of rupees goes to the pockets of my relations and friends—mark the clever way in which Mr. Ispahani tries to delude the House! Who are my friends, I ask and who are my enemies? How many relatives have I appointed? Members of this House know very well that far from a lakh, not even a thousand goes to the pockets of my relations, appointed during my term of office. Let them know that not a single relation has been brought from outside and appointed to any permanent vacancy or post in the University during the period of my vice-chancellorship. I should like to see Mr. Ispahani himself setting such a standard in any other administrative body. Appointments in the University are not made by the Vice-Chancellor who enjoys no special powers or authority.

Mr. Ispahani has referred to the appointment of Mr. Pramatha Nath Banerjee, as one of my relations who is Vice-Principal of the University Law College. But did he seriously make that remark? Mr. Banerjee was appointed a Professor of the University Law College nearly 18 years ago, when I was an undergraduate. He possesses a brilliant academic career and his promotion as Vice-Principal was unanimously approved by the Governing Body of the College, consisting of Judges and ex-Judges of the High Court including Hindus and Muslims and other distinguished persons: His appointment was welcomed by one and all, by the student community to which Mr. Ispahani and others have referred. He cites that appointment as an instance of nepotism which I have followed as Vice-Chancellor of the University. That charge of nepotism I repudiate and describe again as untrue and malicious.

Now, Sir, I would come to the principal point arising out of the motion before the House. The principal motion arises——

Mr. SPEAKER: Mr. Mookerjee, I do not like to interrupt you in the midst of your speech but I think I should adjourn the House now for prayer. You may continue after the adjournment.

The House was then adjourned for 15 minutes.

After Adjournment.

Mr. SYAMAPRASAD MOOKERJEE: Let me come back to the point which I was about to develop but which was unfortunately interrupted. The mover of this amendment wanted principally to raise the question of representation of Muhammadans in the Senate and the Syndicate. With regard to this, as you know the present Act provides that nominations to the Senate are made by His Excellency the Chancellor. Mr. Abdul Bari has described the procedure which is adopted while making the nominations. It is not correct to say that the nominations go from the Vice-Chancellor to the Minister of Education and from the Minister of Education to the Chancellor of the University. The appointments are made on the prerogative of the Chancellor. The Vice-Chancellor makes his recommendations to him and I believe, the Chancellor also consults the Minister of Education before making the nominations. At present we have 22 Mussalmans on the Senate. Personally speaking and speaking on behalf of the University there could not be any objection to having a larger number of Muhammadans on the Senate or on other bodies of the University.

So far as the Syndicate is concerned, as you know the Syndicate is elected by the Senate and the different faculties of the University. The Vice-Chancellor has nothing to do with regard to the constitution of the Syndicate. There has been for some years Moslem members of the Syndicate elected without a break. There have been Muhammadan members of the Senate including such friends of mine as the Hon'ble Mr. H. S. Suhrawardy and the Chief Minister himself before he became Minister of Education—

Mr. JOGESH CHANDRA GUPTA: Was not Sir Nazimuddin member of the Senate also?

Mr. SYAMAPRASAD MOOKERJEE: Sir Nazimuddin was never an ordinary fellow of the Senate; he was an ex-officio member.

But I think I can say this without fear of contradiction that in the deliberations of the Senate where there are 58 Hindus, 2 Indian Christians, 1 Anglo-Indian, 24 Europeans and 23 Mussalmans no attempt has ever been made to do anything which jeopardises the interests of the Mussalmans as a community. I believe there are members here even in the Ministerial Party—I find my friend Khan Bahadur Alfazuddin, a retired officer of the Government—who had been on several important bodies of the University and I hope they will bear with me when I assert that in our work on different bodies of the University we do not either intentionally or even accidentally carry out an educational policy which would go against the interests of any particular community.

My friend, Mr. Abdul Bari, made certain remarks against my predecessor Sir Hassan Suhrawardy. I protest against the remark that he did not enjoy the confidence of the Mussalmans or of the student community. I say that there is no substance in that remark and as a proof of that, I would refer to the tributes paid to Sir Hassan by Hindus, Moslems and Europeans at the time of his retirement. I would remind my hon'ble friend Mr. Fazlul Huq that he himself was present at that meeting and paid eloquent tributes to Sir Hassan for the work which he has done not only for the University but also for the Moslem community. To-day Mr. Abdul Bari may disown his own Leader's remarks and say that Mr. Fazlul Huq did not represent the Muslim community.

Maulvi ABDUL BARI: I never said that Mr. Fazlul Huq did not represent the Muslim community.

Mr. SYAMAPRASAD MOOKERJEE: Mr. Abdul Bari is anticipating things. Is he not disowning the remarks which Mr. Fazlul Huq made on Sir Hassan Suhrawardy's work?

As regards the appointments in the different branches of the University, let me say at once they are not made by the Vice-Chancellor. So far as the teaching departments are concerned, the appointments are made by the Senate on the recommendations of especially constituted selection committees, the constitutions of which have been approved by Government and embodied in the regulations. It is laid down that if there is no Muhammadan members of the Selection Committee for Lecturers and Assistant Lecturers, coming by the door of election or by nomination, an additional Muhammadan member will be added to the selection committee. It is true we have not been able to appoint as many Muhammadans as we would like to do in the teaching departments of the University, but I would say this emphatically that the fault does not lie with the University. It is very difficult for us to get qualified Mussalmans with regard to many of the teaching posts which fall vacant in the University and only a few apply.

Maulvi ABDUL BARI: You cannot say that now. There are many qualified men available at present.

Mr. SYAMAPRASAD MOOKERJEE: I am afraid that is not so. I shall presently go into the details.

As regards the non-teaching posts, I admit that the number of Mussalmans in the clerical staff of the University is very few. I say this, Sir, that the proper atmosphere should be such as will not permit any member belonging to the Moslem community to impute motives to

those who have to administer the University on the question of appointments, but to face facts as they really are. I do hope it will be possible for the University to give proper representation to the Moslem community. So far as non-teaching posts are concerned, that matter is in fact now being investigated by the University on the basis of a letter which has been received from the Government of Bengal and is under consideration.

Now, Sir, my friends here raised a larger question and that is as regards the rights of Muhammadans to better educational facilities. I accord my whole-hearted support to the suggestion made now and before, that greater facilities should be given not only to the Moslem community but also to other communities which have not progressed in education as the Hindus have done. But there, again, it is no use my friend Mr. Bari and others getting angry with the Hindus. It is no fault of the Hindus that they have gone ahead in education and the Muhammadans have lagged behind (Maulvi Abdul Bari: No, no nobody says that.) My friends did say that Hindus have trampled down Moslem educational interests.

Mr. SPEAKER: Mr. Mookerjee, how long will you take?

Mr. SYAMAPROSAD MOOKERJEE: If you grant me 5 minutes, Sir, I shall be able to finish. My friends have said that they regard the University as their own. Well, Sir, so far as we are concerned we do not regard the University as belonging to the Hindus alone, we regard the University as belonging to the people of Bengal and even to strangers like Mr. Ispahani (Hear, hear). So far as the University is concerned it has ever been its policy to help in the progress of education of all communities. The Hindus, it is true, have taken a larger interest in the administration of the University than any other community. But that was due to the advances and contributions they made to education. Look at the population of the University; we hear a lot now-a-days about everything being claimed on the basis of population. If you look at the number of students in Arts Colleges you will find that 81 per cent. of them come from the Hindu community and only 13 per cent. from the Moslem community. If you look at the professional colleges, the number is 85 per cent. for Hindus and 13 per cent. for Moslems. In high schools the proportion is 76 per cent. to 22 per cent. This is reflected also in the number of candidates appearing in the different University examinations. If you take the Matriculation Examination you will find that Hindus number 21,700 and Moslems 5,000. In Intermediate Arts, there are 5,000 Hindus and 1,000 Moslems. May I here give a note of warning to my Moslems friends that they are

not progressing at all in scientific studies, undoubtedly an important point which vitally affects the growth of their community? Look at the number of students reading for the I.Sc.—it is 3,119 for the Hindus, and the number is only 190 for Moslems. Look at the B.Sc.—867 are Hindus and the Moslems are 42 only. Look at the examination for Bachelor of Commerce—the number of Hindus is 330 and that of Muhammadans is 10 only. The same can be said with regard to the Master of Science examination—the number is 191 for Hindus and only 6 for Muhammadans. Now, Sir, I am not saying all this by way of criticism and I hope my friends will not misunderstand me. But I say this that members are not serving the real interest of their community by only concentrating on the services, and the proportion of Muhammadans in the different branches of the administration. The dearth of qualified Moslems is a defect which has got to be remedied if the Moslems of Bengal want to stand up not only for the Moslems but for the people of Bengal as a whole. Now, Sir, the same observation applies with regard to the Bachelor of Engineering and the Bachelor of Medicine Examinations. Again, I find, Sir, that during the last Science Congress, which met in January this year about 2,400 people enrolled from all parts of India as members and how many of them were from the Moslem community? Only 108 altogether, and about 20 from the whole province of Bengal. It will not do for the Moslem community merely to claim privileges as the majority community in the province—(A VOICE: It is the fault of the University) what! it is the fault of the University—that only 20 Moslem members had enrolled themselves for the Indian Science Congress from Bengal? Sir, that mentality has got to be got rid of (Hear, hear). We are prepared to offer our hand of co-operation. We want that Hindus and Muhammadans should work together. We want that the University should stand for and serve all communities. (MR. M. SHAMSUDDIN AHMED: What is Government doing?) Again, look at the University's endowments. As Mr. Bari has reminded the House, the Calcutta University has existed for 80 years. The Hindus, in spite of its defects love it, cherish it. Out of 81 lakhs of rupees lying with the University as endowments, about 80 lakhs have been contributed by the Hindus during the last 80 years, and only a sum of Rs 12,000 has come from the Moslem community. I beg of the members not to misunderstand me when I say all these. I am not saying these with a view to assert that for this reason the Muhammadans are not entitled to larger representation on the University. By all means come forward and capture the University by dint of merit, service and sacrifice.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I must intervene at this stage if you will permit me. This debate is going on lines which is somewhat of a dangerous character. I am prepared to be very

sympathetic to the University. But if the Vice-Chancellor raises issues which I may have to answer, the consequences may be rather unpleasant.

Mr. SYAMAPROSAD MOOKERJEE: Sir, so far as the consequences are concerned, I do not know what they will be. I shall resume my seat with one word. The University of Calcutta does not appear before Government or this Legislature as a Charity-boy with a begging bowl in hand. It claims state-aid as a matter of right. If the representatives of the people of Bengal in their wisdom want to throw off the grant for the Calcutta University, let them do so. The University of Calcutta is prepared to face the consequences.

The Hon'ble Mr. A. K. FAZLUL HUQ: I never meant anything like that,—that you come here with a begging bowl. I only wanted to point out that it is necessary that the discussion should proceed in an atmosphere devoid of prejudice and passion.

Dr. J. M. DAS GUPTA: The Premier should have intervened long before.

Mr. NIHARENDU DUTTA MAZUMDAR: Is not the Premier irrelevant?

The Hon'ble Mr. A. K. FAZLUL HUQ: I did not mean to belittle the University; on the contrary I am very much sympathetic to it.

Mr. TULSI CHANDRA GOSWAMI: The Premier is never responsible for his utterances.

The Hon'ble Mr. A. K. FAZLUL HUQ: Or rather the Premier is responsible, while others are not!

Mr. SARAT CHANDRA BOSE: Sir, I consider it a misfortune that we, the members of this House, have had to sit here and suffer a speech of the kind which was made this evening by Mr. Ispahani. (Hear, hear.) It was a calculated utterance previously committed to paper, and had not even the justification of having been spoken in excitement of the moment.

Sir, when I was sitting here and was listening to sentence after sentence, full of untruths, and half-truths which were even more dangerous than untruths, I was expecting, Sir,—and I say so with respect to you,—that the Chair would intervene. It was a speech which

was full of vile personal insinuations against the Vice-Chancellor of the University, who is an honoured and hon'ble member of this House. I think, Sir, in fairness to myself and in fairness to you, because you have nominated me on the panel of Chairmen, I should say that I hold a very different view of the rights and duties of the Chair on occasions like this.

Sir, I would deal particularly with one observation which was made by Mr. Ispahani, which contained a very serious reflection on the character and integrity of an hon'ble member of my party—I mean, Srijut Pramatha Nath Banerjee. It was suggested,—I should say more than suggested,—that he owed his appointment to the present Vice-Chancellor of the University. Possibly this House, and particularly those members who keep an open mind, would like to hear one word about the qualifications of my honoured and honourable colleague, Mr. Banerjee. He is a gentleman who stood first in the First Class in the Intermediate Examination; who stood first in the First Class in the B. A. Examination; who stood first in the First Class in the M. A. Examination; who stood first in the First Class in the B. L. Examination, and whom the University granted the Premchand Roychand Scholarship. He is a gentleman who obtained a first class in almost all the examinations, including the Bar Final Examination of the Inns of Court. He is a gentleman who was elected a member of the Senate by the graduates of the University in the year 1918, and the present Vice-Chancellor,—I hope my honourable friend Mr. Shyamaprasad Mookerjee, will not mind if I say it—at that time was in the Matriculation class. From 1918 to 1938, for 20 long years Mr. Pramatha Nath Banerjee has been year after year elected to the Senate by the graduates of the University, both Hindu and Moslem. And still it is suggested that the appointment of Mr. Banerjee as Vice-Principal was an act of nepotism. The matter does not rest there. He has been continuously elected a member of the Syndicate from the year 1919 right up to the year 1938; and still it is suggested that the Vice-Chancellor of the University was guilty of nepotism. To-day he occupies the position of being one of the senior-most members of the Senate and the Syndicate, one of the senior-most professors of the University Law College. Sir, the promotion which he got, he got as a matter of right and not as a matter of favour from anybody,—the promotion which was conferred on him by Hindu and Moslem members of the University, including distinguished Hindu and Moslem Judges of the Calcutta High Court, I think, Sir, I need not labour this point any further.

From this side of the House I desire to say one word on the general question of Moslem representation in the University. The House may take it from me that nothing would please this side of the House more than to find the number of distinguished Moslem graduates in Arts

and Science increasing more and more every year until the number overreaches the number of the Hindu graduates; because, after all, the welfare of this province does not depend on educated Hindus alone, it depends on educated Hindus and Moslems. This side of the House has always stood and will stand against nepotism, if a case of that kind is made out,—no matter whether it is by the Prime Minister or any other Minister or by the Vice-Chancellor or anybody else. We shall be no party to nepotism, and if a case had been made out against the Vice-Chancellor of the Calcutta University we would have been the first to join hands in condemning his acts. As regards the Vice-Chancellor himself, I hope he will not mind just one personal touch. Do not the members of this House know that for the last four years—nearly four years—the Vice-Chancellor of the University has been serving the University, giving practically his whole time to it without any remuneration whatsoever? Sir, in some of the new Universities which have sprung up in other parts of this country, we have the system of paid Vice-Chancellors. But let it be said to the credit of Bengal and Bengal's educationists that Bengal's educationists have always set their faces against the Vice-Chancellor drawing a single farthing by way of salary, and yet that system has worked in such a way that the best educationists of this province, the best minds of this province—Hindu and Moslem—have contributed towards putting forward brilliant candidates for the position of Vice-Chancellor. The best intellects among the Europeans who have come and lived with us have also contributed towards putting forward candidates for the position of Vice-Chancellor.

I, say, Sir, that this is a matter which does not admit of a discussion on communal lines. Education and the spread of education is a matter which is equally the concern of both Hindus and Moslems, and I hope the Moslems of Bengal—I stress those words, the "Moslems of Bengal" —will dissociate themselves from the utterances of Mr. Ispahani. I would appeal to the Prime Minister as one of the leaders of the Moslems of Bengal to dissociate himself from the vile utterances of Mr. Ispahani. I would appeal to him to lead a campaign for better education both among Hindus and Moslems. I would appeal to him to join hands with the University in seeing that the backward classes particularly are given greater facilities for education in the years to come. In that matter, in all the attempts that the Minister for Education and the Vice-Chancellor may make for the spread of education among Hindus and Moslems, I shall only say this, Sir, that we shall extend to both of them the hand of fellowship and we shall particularly extend to Moslem young men a warm, cordial and sincere welcome inside the portals of this University.

I would like to say only one word more. I would not even attempt—I know even if I tried to do so, I could not do it, and I doubt whether

any member of this House could do it—namely, to emulate a speech of the kind which Mr. Ispahani made this afternoon. But I hope if he has the courage of conviction, if he feels that his allegations have any substratum of truth in them, he will take up the challenge which has been thrown by the Vice-Chancellor.

In conclusion, Sir, I would appeal to the members of this House once more with all the earnestness and sincerity I am capable of, I would appeal to them not to bring forward communal considerations into the sacred domain of education. I would appeal to them to join with me in saying that untrue declamations would pass; actions like those of the present Vice-Chancellor would remain and ever remain.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I extremely regret that in the course of discussions on a somewhat innocent looking motion there should have been introduced harsh words, unpleasant remarks and a good deal of heat and warmth which were absolutely unnecessary for the discussion of the points at issue. I would have thought, Sir, that the purpose behind this motion would have been better served by a simple narration of facts leaving the House to draw its own conclusions and by making an appeal to the Government and to the Vice-Chancellor to co-operate in bringing about an improvement in a situation which is not only deplorable, but which is considered as somewhat like an impediment to the growth of friendly relations between those who are interested in the development of the Calcutta University. Let me recapitulate for the information of the House certain facts. The present Calcutta University constituted by the Act of 1904 consists of the maximum number of 100 members of the Senate. Twenty per cent. of this number is elected, 80 per cent. is nominated by the Chancellor. In the year 1904, I am speaking from memory at the present moment, we began with only seven Muhammadan members of the Senate, and in course of time we have now got 21, which means three times the number with which we began. Now, Sir, so far as the elections are concerned, the result has been somewhat discouraging so far as the Muslim community is concerned. I am not casting any reflection on anyone, but I am stating a bare fact when I say that during all the years that the University has been in existence not a single Muslim has been able to find his way to the Senate through the medium of election. Once again I want to point out that I am stating a fact. There may have been many contributing reasons, and I do not for a moment wish to imply that this has been due to any want of consideration on the part of the voters, or any neglect on the part of the University. But this fact has somewhat impeded the Muslim community in coming forward to enter the Senate by election and they have had to depend solely on nomination by the Chancellor for being appointed Fellows of the Calcutta University.

Now, Sir, so far as this appointment is concerned, it is made when vacancies occur in either of the three following manners: First of all it may be by death of a member or by retirement or by expiration of the term for which he may have been appointed. In the case of those whose term expires, the ordinary rule is to appoint that member unless his period of work in that office has been unsatisfactory. In the case of retirement, the general rule is to fill up the vacancy by someone holding a position similar to the one that was occupied by the retiring member. It is only in the case of the death of a member that it is possible to replace a non-Muslim by a Muslim, and by that measure to increase the representation of Muslims. Sir, I again make no complaint, but fortunately the cases of death are not very frequent, and members do not come forward to die in order to give the Chancellor an opportunity of making up for the deficiency of Muslim representation in the Senate. (Laughter.) Sir, very recently a case has occurred of a vacancy by a death and I propose to discuss this case with the Vice-Chancellor, and I hope I will be able to replace this non-Muslim vacancy by the appointment of a Muslim.

Then, Sir, so far as the other points are concerned, I can only say that it is very unfortunate that the list that has been read out by the Vice-Chancellor as to the paucity of Muslims in various stages not merely of education, but also of the profession is yet very meagre and out of all proportion to the position occupied by the Muslims as the majority community in this country. It is no use reminding us of this very deplorable and distressing fact. I can say this much, that the Muslims have not been primarily responsible for this state of things. I must take this opportunity of making a frank admission, and I make it with a full sense of my responsibility that Government has been mainly responsible (hear, hear) for the backwardness of the Muslims in the matter of education, and that it is not the Muslims alone who should be blamed if at the present moment they do not occupy that position which they should and they are entitled to occupy by reason of their number, their culture, their past history and their enlightenment. Sir, it is with very great regret that I make this remark, and I can assure the House that so far as I am concerned, I have been trying to explore all avenues for bringing the backward classes, the scheduled castes and the Muslims into line with the other advanced communities by opening up avenues of progress. (Hear, hear.) The Muslims are generally a very poor community, and may I asked the Vice-Chancellor to reflect upon the depressing fact of poverty of a student who elects to pursue his studies under difficulties and difficult surroundings.

Mr. NIHARENDU DUTTA MAZUMDAR: Give them more scholarships.

The Hon'ble Mr. A. K. FAZLUL HUQ: Exactly, that is the point, and this year I have provided for Rs. 50,000 as scholarship to Muslims which will be increased to one lakh. (A VOICE from the Congress Bench: That will be inadequate.) It will not be inadequate if my friend keeps his patience, because I have got to keep my eye on other requirements of the Department of Education, and not open the purse strings simply in favour of a particular community. (Hear, hear.)

As regards the scheduled castes, I have provided for Rs. 35,000 for scholarships. This is only a beginning, and if I get the support, the sympathy and the encouragement which I want from the members of this House, I will certainly induce my hon'ble colleague, the Minister in charge of Finance, to set apart larger and larger sums for scholarships and stipends for Muslim students, the students of the scheduled castes and the students of other backward classes. Sir, I think I ought not to pursue this point any further. The difficulty is this, that the Muslim somehow or other have got a sort of prejudice against the administration of affairs of the Calcutta University. I am not justifying the attitude of my community, nor am I saying a word in disparagement of the management of affairs of the University of Calcutta, but the fact is that the Muslims think that their interests in the Calcutta University are not well protected. It will be some time before that prejudice dies out, and it rests with us, those who are responsible, members, of the two communities so to shape our conduct towards one another to take each other in confidence in order that by a practical application of the principles of goodwill and fellowship we may win the confidence of each other. Muslims will come to look upon the Calcutta University as a national institution. The Hindus will come to look upon Muslims as co-partners in the work of building up the nation and the University (hear, hear) and if we are able to sink our differences and inspire confidence in one another, I am sure that the Calcutta University will in course of time become the rallying point for the united efforts of all sections of the people for the betterment of our people and our common Motherland.

Sir, one word more as regards the position of Government. It is the Chancellor who appoints, and he naturally looks to the Vice-Chancellor to make suggestions, and so far as the Minister of Education is concerned he is generally consulted. The Chancellor's privilege is his own, and he makes his appointments according to his own judgment. Strictly speaking, therefore, the Government of Bengal do not come into the picture at all, and unless the Calcutta University Act is amended it is impossible to say that under present conditions the Government of Bengal have been responsible for the very low percentage of Muslims in the Senate of the Calcutta University. We

have been trying to increase the number, and as I have pointed out it is by gentle persuasion and responsive negotiation that I can induce the Vice-Chancellor now and then to consent to a non-Muslim seat being filled by a Muslim. Even so, there are difficulties in the way. Suppose the Principal of the Engineering College is a member of the Senate and he retires, and a non-Muslim occupies the seat, it is very difficult to suggest that in the place of the expert in the Faculty of Engineering—

Mr. SANTOSH KUMAR BASU: Maulvi Abdul Bari will be taken in.

The Hon'ble Mr. A. K. FAZLUL HUQ: The position should be filled up by someone who does not possess the requisite qualifications. But in course of time, I am sure these difficulties will disappear, and I am looking forward to that time. For the present, I hope Maulvi Abdul Bari will excuse the Government of Bengal who share with the honourable mover in feeling that the present deplorable state of things of which Mussalmans complain should be set right. I hope that, so far as this motion is concerned, it is no use pressing it to a division because I have admitted the inadequacy of Muslim representation on the Senate of the Calcutta University.

Mr. SANTOSH KUMAR BASU: Will there be responsive negotiation now?

The Hon'ble Mr. A. K. FAZLUL HUQ: I hope, Sir, that in view of what I have said, Maulvi Abdul Bari will see his way to withdraw his motion

I wanted to say something more, but I have lost my notes. (Laughter.)

Khan Bahadur MOHAMMED ALI: On a point of information, Sir,—

Maulvi ABDUL BARI: Sir, in view of the statement made by the Hon'ble Chief Minister, I want leave of the House to withdraw my motion.

Mr. SPEAKER: Order, order. Leave has been asked by Maulvi Abdul Bari to withdraw his motion. Khan Bahadur, you can rise on a point of information after this has been disposed of.

The motion of Maulvi Abdul Bari that the sum of Rs. 1,33,45,000 granted for expenditure under the head "27—Education—General" be reduced by Rs. 100 was by leave of the House withdrawn.

Khan Bahadur MOHAMMED ALI: Sir, in view of the allegations made by Mr. Ispahani——

Mr. SPEAKER: I think that in view of the atmosphere of amity and good will now prevailing that matter should be dropped. I appeal to you, Khan Bahadur, to drop this question.

Mr. BARADA PRASANNA PAIN: On a point of privilege, Sir. Dr. Nalinaksha Sanyal is now sitting in the Visitors' Gallery. Is he entitled to do that?

Mr. SPEAKER: I might say that by all parliamentary conventions it is not permissible for any member to look to the strangers. (Laughter.)

Miss MIRA DUTTA GUPTA: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,33,45,000 under the head "37—Education—General" be reduced by Rs. 100 (to raise a discussion about the want of any provision for hostels for girls).

Sir, I remember to have raised this question about the necessity of better provision for hostel accommodation for College girls specially in Calcutta at the time of the discussion of the budget estimates for 1937-38 and also at the time of the general discussion of this budget a few weeks ago. And if to-day I take up the time of the Assembly by bringing this question up again, it is because I feel that this is a question of vital importance to the race, a question which we can no longer afford to sleep over. In order to enable the House to appreciate the position, I shall give you certain figures.

From a report of the Syndicate it appears that 1,095 girls were actually studying in the different Calcutta colleges in the month of September 1936. These 1,095 were distributed as follows:—

I.A.	..	..	629
I.Sc.	..	..	78
B.A.	..	..	307
B.Sc.	..	..	12
Medical	..	..	29
B.T.	..	..	40

Of these 1,095 girl students—

867	were	Hindus
37		Mahomedans
57		Christians and
134		

belonged to other communities. I am sorry I have not been able to get the figures for any later date. But these figures for September 1936, will give you an adequate idea of the situation. It is well known that as years go by, more and more girls are taking up University education and the number of college girls in Calcutta to-day must be much more than 1,095.

Next let us examine what hostel accommodation is available in Calcutta for these girls. College hostels attached to the following six colleges: (1) Bethune, (2) Scottish Church, (3) Victoria, (4) La Martiniere, (5) Loreto, (6) Calcutta Medical College, accommodate 213 students,

Non-collegiate Hostels of the Medical College accommodate 37 students.

Private Hostels in North Calcutta—Hindoo Hostel for girls and Chhatri Bhawan accommodate 59 students.

South Calcutta Oxford Mission accommodate 12 students.

Total 321.

So, there is a provision only for 213 students in collegiate and 108 students in non-collegiate hostels out of a total number of 1,095 students, which figure must have risen to at least 1,200 now. No doubt many of them live with parents but enquiry shows that many do not. (At this stage Mr. Speaker vacated the Chair which was taken by Mr. Deputy Speaker.) They live with near and distant relatives and sometimes in the houses of friends and acquaintances. This, in the case of girls, is not a very convenient position, but this they have to do because sufficient hostel accommodation is not available.

The facilities for higher education in Calcutta attract many girls to the city and the way in which this influx of girls is increasing should make us realise the gravity of the situation and we should take up the question of their accommodation in suitable quarters under suitable guardianship before we are too late.

In this connection, I think I can do no better than quote from a speech of Dr. W. A. Jenkins delivered at a University Senate meeting on 26th September, 1936: "There are still hundreds of lady students desiring reasonably satisfactory accommodation and the accommodation is not there. Whatever may be the policy of womens' education in future, howsoever you may differentiate your course of studies, it will still remain a fact that a certain percentage of lady students will follow the normal academic studies and that percentage will produce a far greater number than can be accommodated in the existing hostels or in the one or two hostels that may be built in future". Then declared Dr. Jenkins that the question of satisfactory accommodation for the lady students was an extremely urgent and important one. What have we done to solve this extremely urgent and important

question, certainly much more urgent and more important than unnecessary and retrograde schemes like a "Purdah College" which are actuated more by political considerations than considerations of the educational needs of the community.

Sir, I ask again as I asked a few weeks ago, is it too late to suggest that the money provided for the "Purdah College" which is wanted by nobody in its present form be diverted and utilized for the construction of hostels in Calcutta for Hindu, Mahomedan and Christian girls?

I ask the House to consider the question with all the seriousness it demands.

Mrs. HASINA MURSHED: Mr. Speaker, Sir, I rise to speak a few words on the motion moved by my friend representing the Calcutta General Women's Constituency. I associate myself with my frined's complaint to the effect that there does not exist adequate hostel accommodation for girls in Calcutta. While every one of us on this side of the House will be prepared to concede that the necessity for providing hostel accommodation for girls is great, I am sure, at the same time none of my colleagues on the other side of the House will dispute the contention that the necessity for estabilshing a separate hostel for Muslim girls is still greater. I will cite one instance which I hope will support my contention. It was brought to my notice the other day that a Muslim girl (the daughter of an ex-M. L. C.) was studying for her Intermediate Examination at the Victoria Institutin, Calcutta. She was an inmate of the hostel attached to that institution. Unfortunately, Sir, the girl was subjected to certain difficulties and inconveniences which ultimately compelled her to leave the institution and the hostel. The difficulties were that she was not given proper food to eat. As a matter of fact she suspected that some food was given to her which is forbidden according to her religious tenet. Secondly, she was not given proper facilities for saying her prayers. These difficulties compelled the poor girl to leave that institution and proceed home where she is continuing her studies privately. The girl was a very good scholar: she was the recipient of a stipend and scholarship. But under the departmental rules she has been deprived of the stipend and the scholarship with the result that the poor father of this girl has had to bear the heavy expenses of his daughter's education. If she were given proper facilities in the hostel she would have continued to stay there and got the stipend and the scholarship and would thus have been able to save her poor father from the heavy liability of her educational expenses. This is only one instance that I have cited and I am sure there are hundred and one other instances like this which have not been brought to the notice of the House. Instances like this, I hope, will suffice to convince the Government that the establishment of a separate hostel for Muslim girls is essentially necessary.

It may be argued that the number of Muslim girls is too small to justify a separate hostel for them exclusively. To this argument I would like to reply that the commercial theory of demand and supply should not find any application in the matter of female education, the less so in the matter of the education of Muslim girls. On the contrary, Sir, we expect that Government would come forward to offer facilities to the Muslim girls before they expect that there would be an adequate supply of such girls.

I can also anticipate a second line of attack—that is that the spirit of separatism is detrimental to the establishment of harmony and goodwill among the different communities. As a general proposition I am prepared to subscribe to this view, but at the same time I beg to submit that the time has not yet come when this theory can be applied in practice. This theory cannot safely be used in practice for the simple reason that the number of Muslim girls under education at the present moment is comparatively too small to enable them to hold their own against others in non-denominational institutions.

I therefore, take this opportunity of making an earnest appeal to the Ministry of Education to provide separate hostels for Muslim girls as early as possible, so that there may not be any difficulty in the way of their going in for higher education.

Mr. SYAMAPRASAD MOOKERJEE: Mr. Deputy Speaker, I would like to say a few words because this matter formed the subject-matter of correspondence between the University and the Government in recent months. Sir, in January 1937, the University wrote a letter to the Government of Bengal that Government should assist the University in establishing a hostel for girls reading in the affiliated colleges of the City. There are 1,100 girl students reading in the City to-day of whom only 230 can reside in hostels or in messes approved by colleges. The number of girl students is increasing rapidly and we have felt for some time that it is absolutely essential in the interests of the girls themselves that there should be better provision for residence for them. Now, Sir, that letter was issued to Government in January, 1937. Government asked for certain details which we supplied about four months later and we informed the Government that the University would be prepared to pay at least Rs. 1 lakh towards the building of such a hostel. We did not forget the case of the Moslem girls as well and suggested that it would be desirable to have a separate block for those who are reading in the colleges. We were even prepared to bear half of the total cost which would be incurred to construct such a hostel—

Mrs. HASINA MURSHED: We want a separate hostel.

Mr. SYAMAPRASAD MOOKERJEE: We suggested a separate block. But if it is the general feeling that a separate block will not do but that a separate hostel for Moslem girls, miles away from the hostel for Hindu girls, is wanted, that is a matter for discussion.

We have not been able to follow exactly what the Government's plans are. We find from the Government letter of December, 1937, that they desire us to issue a plebiscite—they like to know first of all how many girls would come to take admission in this hostel before Government can commit themselves to any policy. That is a wrong attitude taken up. It is not possible for us to know at this stage how many girls will come. At present there is actually accommodation only for 230 girls out of 1,100.

With regard to the general proposition there is no denying the fact that there is an absolute demand for a good girls' hostel in the City. Have one for the Hindus and another for the Muhammadans; there cannot be the slightest objection to that, but there must be some well-managed hostels for girls in the city.

For the attitude of the Government—I am not blaming the present Government at all as to quote Mr. Fazlul Huq it is one of the things which has been handed over to him by his predecessor—let us look at the niggardly manner in which the Bethune College Hostel is managed. The Hon'ble Mr. Fazlul Huq will be surprised to hear that the modest grant of Rs. 3-8 per head for the Bethune College Hostel has been withdrawn for the financial difficulties of Bengal. The Principal is authorised only to draw from the treasury a sum equivalent to Rs. 16-8 which is the sum paid by each boarder to the coffers of the Government. Nothing could be more scandalous. I suppose that the Hon'ble Mr. Fazlul Huq does not know himself as to how his department is managed so far as these matters are concerned. The Bethune College is a premier college run by Government for the benefit of women in this country, and a modest contribution of Rs. 3-8 per head made by the Government to this institution has been withdrawn for financial reasons!

The same thing has happened with regard to the library grant. That has also been reduced. A little contribution formerly made by Government for the girls in the common room has been withdrawn. What has been the position with regard to the finances of the institution? I find that Government contribution is becoming less and less with the increase in the number of students of the college.

Rai HARENDRA NATH CHAUDHURI: And increase of revenue receipts.

Mr. SYAMAPRASAD MOOKERJEE: Certainly. For instance, we find that the number of students has gone up to 309 and the contribution from Government decreased from Rs. 82,000 to Rs. 76,000.

Thus there is a total decrease of Rs. 6,000 in the contribution made by the Government towards this college. In fact, I have got the inspection report, the signatories of which are Mrs. P. K. Roy and Lady Abala Bose. They say that if the Government maintain this institution in this inefficient manner it is much better that the college should be abolished altogether than that it should be allowed to remain in its present condition. I appeal to the Hon'ble the Chief Minister to pay his personal attention to these two problems—

(1) the immediate necessity of the establishment of hostels in the city for girls, Hindus and Moslems, for which the University has come forward with an offer of payment of at least 1 lakh of rupees if not Rs. 2 lakhs, and

(2) the restoration of the grant to the Bethune College, so that the College may proceed from strength to strength in the future.

The Hon'ble Mr. A. K. FAZLUL HUQ: I shall be very brief in my reply to the debate that has taken place, because I am free to admit that there is a general demand for the increased hostel accommodation for girls. There are however a number of existing hostels many of which do not seem to be attracting sufficient number of boarders. In Calcutta there are four hostels attached to the colleges: (1) The hostel attached to the Bethune College and Collegiate School; (2) Lady Jane Dundas Hostel attached to the Scottish Church College; (3) College Women's hostel; (4) Hostel attached to the Sakhawat Memorial Girls' School. Of these the Bethune College hostel and the College Women's Hostel, Calcutta, together meet the demand for hostel accommodation of the students of the Bethune College. The Bethune Collegiate School hostel is never full, and the Sakhawat Memorial School hostel is not only full but there is a pressing demand for more accommodation and the whole matter is under my consideration.

In the mufassil there are six hostels of which I might make mention, namely:—

(1) The hostel attached to the Eden High School with an accommodation for 42 boarders. The present number of boarders there is 31.

(2) The hostel attached to Vidyamoyee Girls' School. There is an accommodation for 75 boarders and the present number is 58.

(3) The hostel attached to Dr. Khastagir's Girls' School. Accommodation is for 32 boarders; the present number is 32.

(4) The hostel attached to Faizunnessa Girls' School. There is an accommodation for 21 boarders. The present number is 15.

(5) The hostel attached to Donovan Girls' School. There is an accommodation for 16 boarders; the present number of boarders is 8.

(6) The hostel attached to Victoria Mission Girls' School, Mymensingh. The accommodation there is for 60; the present number is 57.

Besides these there is a Boarding House attached to Baptist Mission Middle English School for girls at Barisal with an accommodation for 150 girls (110 are actually residing). A grant of Rs. 150 is given to that hostel. Ther is a Hindu Widow's Home at Dacca with an accommodation for 45 but 35 are actually residing, to which a grant of Rs. 100 is given. There are also 3 hostels attached to Training Schools for girls (one at Dacca and two at Calcutta) and there is sufficient accommodation available in them.

This does not mean that the demand for more hostel accommodation is altogether groundless. As regards the proposal made by the Vice-Chancellor I know of the offer that has been made, but it is a matter in which the Government has got to sit round a table with the representative of the House and work out a scheme for building hostels which will be acceptable to the various communities concerned. It is not after all merely a question of money but the question of site for the hostel, question of transport of students from the boarding to the various institutions and various other connected matters have got to be considered. I may mention here that in the proposed Girls College which I wish to start I have made provision for a hostel and a hospital also. I am not unaware of the necessity of good hostel accommodation and if good hostels are a necessity for boys, they are a greater necessity for our girls. I may assure the House that the whole matter will receive the sympathetic consideration of Government, and help, assistance, co-operation from whichever quarters it comes would be welcome, and I hope that in the near future we will be able to solve this question of hostel accommodation to the satisfaction of all communities concerned.

As regards the Bethune College and Collegiate School to which the Vice-Chancellor made a reference, the economy cuts were made four years ago and this year we propose after examination to restore some of those cuts that had been made not merely in the Girls' Colleges, but also in Women's Colleges and I hope that in the very near future we will be able to remove some of the grievances of the Bethune College. So far as the new College is concerned it will be constructed on an entirely new plan. It will be a residential college with hostel and hospital attached to it. I hope that this will meet the requirements of the Muslim community in Calcutta also.

One point which I shall mention to the House is that we have provided in this budget a little over 1 lakh of rupees for the Christ Church from which Bethune College will be benefited. So far as the general question of hostel accommodation is concerned we are considering the whole question and much will depend on the help, assistance and co-operation we receive from the Calcutta University.

With these words I would ask the mover to withdraw her motion.

The motion of Miss Mira Datta Gupta that the demand of Rs. 1,33,45,000 under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

Mr. JOGESH CHANDRA GUPTA: With your permission, Mr. Deputy Speaker, may I move the cut motion standing in the name of Mr. Rasik Lal Biswas, who is unwell? May I have your leave?

Mr. DEPUTY SPEAKER: Yes.

Mr. JOGESH CHANDRA GUPTA: I beg to move that the demand for Rs. 1,33,45,000 under the head "37—Education—General" be reduced by Rs. 100 (policy of education with a special reference to the spread of education among the members of the scheduled castes).

This cut motion, Sir, is for discussing this policy of education with special reference to the spread of education among the members of the scheduled castes. It is admitted on all hands that the members of the scheduled castes are very backward, socially, economically, and educationally. It is also recognised that if Bengal has got to make any improvement in its condition it must give proper attention to the needs of the members of the scheduled castes. The Budget has made a provision for about Rs. 35,000 for scholarships. Sir, scholarships may help a few meritorious students and are certainly helpful, but would only help some persons who had the advantage of competing in an examination. What is needed is expenditure under the head "Education", which will help in levelling up, and if this has got to be done, it is necessary that substantial grant should be made for the spread of general primary education among the members of the scheduled castes. We think that the Government realise that the greatest good of the greatest number is the criterion by which members of the scheduled castes will judge the endeavours on the part of Government to better their condition. I hope the Treasury Bench will not grudge a comparison of what has been done by other provinces in this direction. Mr. Deputy Speaker, the United Provinces have made a grant of Rs. 10 lakhs for the removal of illiteracy, which is calculated to benefit mainly, the scheduled castes and this over and above the grants for rural reconstruction amounting to Rs. 1 crore and 10 lakhs, out of which Rs. 97 lakhs is

going to be applied for rural development. Coming to Madras we find that in Madras the scheduled castes have been benefited by the measure of prohibition, which has been adopted there. The Madras Government has suffered aloss of Rs. 34 lakhs in revenue due to the prohibition policy inaugurated by them, and this has benefited the scheduled castes. But they did not rest content by introducing only a prohibition policy. They have also made a grant of Rs. 2½ lakhs for the purpose of the spread of education along with the spread of prohibition and that was mainly for the scheduled castes. We know that the Central Provinces, which do not claim a very fat revenue, have provided Rs. 2 lakhs this year under the Vidyamandir scheme and selected areas where there are backward communities and in addition have made a special grant of Rs. 51,000 for the members of the scheduled castes.

(At this stage Mr. Speaker entered the Chamber and took his seat, which was vacated by Mr. Deputy Speaker.)

Bihar, which has not got a very substantial revenue has made an attempt and has made a grant of Rs. 33,000 towards the improvement of education amongst the scheduled castes, and in the neighbouring province of Orissa, which is the poorest province, they have remitted school fees in all the elementary schools, so that the scheduled caste boys who go to those elementary schools may have their education free, and in addition they have made a special grant of Rs. 4,645. Sir, I am not making these comparisons in order to belittle the endeavours made in our own province in the cause of education, I am only stating these facts in order to show that all over the world it has been recognised which you cannot deny, that the salvation of the nation lies in the improvement of those unfortunate brethren of ours who have not had better facilities all this time. It is necessary to lend a helping hand to those who cannot stand in their own legs and therefore I say that the grant that has been made is very inadequate. We have not made a serious attempt to tackle this question. So I do hope that Government will see their way to make a very substantial contribution for the purpose of giving additional facilities to the members of the scheduled castes who are looking up to those more favourably situated, for help, and this should certainly not be refused.

Wtih these words I commend the token cut standing in the name of Mr. Rasik Lal Biswas to the acceptance of this House.

Mr. MONOMOHAN DAS: Mr. Speaker, Sir, I beg to move that the demand of Rs. 1,33,45,000 under the head "37—Education—General" be reduced by Rs. 100 to raise a discussion on the necessity of a capital grant of Rs. 5 lakhs for the spread of education for the scheduled castes appointing a Special Officer for the said purpose.

Sir, before I deal with the question at issue, as enumerated in the motion which I have just moved, I think I should briefly state the condition of the people of the scheduled castes in Bengal because by doing this I shall be able to impress upon the members that the demand for a capital grant of Rs. 5 lakhs that I have made is a just and fair one. It is a well-known fact that we the unfortunate members of the scheduled castes have from time immemorial been observing along with the other Hindus the manners and customs of the great Hindu religion, but though we belong to the same stock and profess the same religion, still we have all along been or have been forced to remain at a distance of hundreds of feet away from the touch of our more fortunate co-religionists. Sir, the very terms by which we have so long been designated go to show how awfully neglected we have been. That is why we have been called untouchables, that is why we have been called a depressed class—and we have been oppressed and suppressed,—and that is why we have also been called a backward community. And then at last we have been termed the scheduled caste. Not only have we been neglected by the so-called caste Hindus but have always been exploited so that our so-called friends may enjoy the fruits of our labour. That is the reason why we have been placed in a hopelessly abject condition to-day.

Now, Sir, to come to the point at issue it is a universal truth that no community or no section of a community can rise without proper education, but to educate a community which has been proverbially poor and backward in every respect means adequate provision of funds. People of the scheduled castes are the poorest of the poor, living from hand to mouth and their condition may aptly be compared to that of a fish out of water. In my district of Mymensingh, though primary education has been given a start people of our community have not been able to send their boys to the primary schools because they cannot even afford to give them *dhotis* and *jamas*, not to speak of the books which they require. What is primarily needed, therefore, is the grant of a sufficient number of scholarships and stipends to scheduled caste boys if it is the sincere desire of Government to spread education among them. Unless and until that is done, the establishment of a number of schools will not help us much. In the face of the appalling backwardness of our people in education, the only thing that is required is money and there should also be a clear cut programme of education for the people of the scheduled castes. Primary education for our boys should be made free and compulsory under the supervision of a Special Officer.

Then special scholarships and stipends should also be awarded to our boys who desire to prosecute further studies in high schools as well as in special subjects like medicine and surgery, engineering, technocology and others. I should suggest that 50 per cent. of our

boys who prosecute such study should be awarded special scholarships and stipends, and that 75 per cent. of those who prosecute higher studies in colleges should also be given scholarships. If that is not done, it would be impossible for our boys to go even up to the Matriculation standard, not to speak of aspiring for college education. This, however, would not mean undue expenditure of public money for a section of the people, for out of 50 boys who pass the primary standard not more than 5 go up for Matriculation Examination, and not more than one or two out of those five can go up for college education. Unless and until such scholarships are provided and Government are kind and sympathetic towards us on account of our backwardness in education, we shall remain as backward as now we are. Sir, one thing I cannot but submit that it is rumoured in public that the people of the scheduled castes are specially favoured by the present Government as the supporters of the present Cabinet. But I see nothing has come to light practically.

Sir, in conclusion I appeal to the Hon'ble Minister for Education, i.e., the Chief Minister to be kind and sympathetic towards us and to satisfy us with the demands that we have already prayed for, which at the moment is 5 lakhs of rupees for the appointment of a Special Officer for the spread of education among scheduled castes. I submit, Sir, that there is some necessity for it, as the Muhammadans have got Special Officers, and they have got their Assistant Director of Public Instruction and so on. I think we are nonetheless deserving people in this respect.

(The member having reached the time-limit resumed his seat.)

Adjournment.

The House was then adjourned till 4 p.m., on Friday, the 18th March, 1938, at the Assembly House, Calcutta.

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[(Q.) Stands for question.]

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